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POLITICAL SCIENCE QUARTERLY

MARXISM VERSUS SOCIALISM. I.

THE rôle which socialism is playing in the modern world and the extent to which the socialistic army in all civilized countries is marching under the banner of Carl Marx give to the body of doctrines which bear his name a unique position in social science. Even if the Marxian system be regarded as a tissue of errors, the fact that millions of men accept it makes it significant. It has, however, another claim upon the attention of the economist. Had Marxism failed to win a single adherent, it would still have been necessary for every serious student of economic theory to endeavor to understand it; for it contains a challenge that can be neither ignored nor evaded.

The literature of protest against Marxism is already vast, yet, with the notable exception of such writings as those of Böhm-Bawerk, Seligman, Sombart and Stammler, who have dealt with special aspects of the system, the bulk of that literature proves conclusively to the well-informed reader that reason is but a fig-leaf for emotion. Too obvious in most instances is the critic's desire to emulate St. George and slay the dragon, even if personal modesty clothes the brave onslaught in the humble garb of scientific research.[1] With these critics emotions

[1] Marx, who as Pierre Leroux once said about him, "etait fort pénétrant sur le mauvais côté de la nature humaine," has given to the motives of his critics a somewhat unkind interpretation. "In the domain of political economy," he writes, "free scientific enquiry meets not only the same enemies as in all other domains; the peculiar nature of the material it deals with summons as foes into the field of battle the most violent, mean and malignant passions of the human breast, the Furies of private interest." Marx, Capital, fourth English edition (London, 1891), p. xix.

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run riot. They have in their zeal attempted the impossible: to kill the dragon without seeing him. That even St. George could not have done.[1] Such criticism, carried on for two generations, has naturally established a tradition: a man of straw has been constructed for the express use of Marx's critics. Thus in the lectures which Mr. Mallock delivered last year in various cities and which were widely reported in the daily press, the familiar dummy-Marx held the center of the stage. Mr. Mallock's singular statements about Marx naturally served to aid socialist propaganda[2]; and in academic circles also his utterances elicited unfavorable comment. But where the student of Marx saw ignorance in the lecturer's statements, one familiar with the critical literature dealing with Marx could discover learning and erudition. Mr. Mallock reproduced pretty nearly all the mistakes, misstatements and misinterpretations for which the professional economists are responsible. In fact, as the literature stands to-day, it is really extremely difficult to study Marx and the literature about Marx and to steer clear of fatal misinterpretations. The writings of our leading economists, whose names inspire confidence and demand respect, block the way. The day-laborer who has read the *Communist Manifesto* and the pamphlets of Engels and Kautsky has to-day a firmer grasp of the Marxian doctrine than many a professional scholar.

[1] As early as 1895 Adolph Wagner pointed out that most of the critics of so-called scientific socialism had shown that they had not the least conception of what they were talking about. See Die akademische Nationalökonomie und der Socialismus (Berlin, 1895), pp. 22, 23.

[2] Mr. Mallock's criticisms produced, for example, the able propagandist pamphlet of Morris Hillquit, Mr. Mallock's "Ability" (Socialist Literature Co., New York, 1907), which ends with the following lively sentences: "These then are the 'arguments and reasonings' of Mr. Mallock against the 'assumptions and sophistries' of socialism. Mr. Mallock has indeed demonstrated that he has equipped himself for the task of combating socialism by 'arduous and qualifying study.' It matters not that his study is limited to a hasty perusal of a single socialist tract and an unpublished utterance of an unknown 'Italian Socialist,' Giovanni Bossi. Mr. Mallock's ideas about study and knowledge are different from those of ordinary mortals. 'The kingdom of knowledge,' declares he verbally, 'is like the kingdom of heaven. From generation to generation the violent take it by force; and it is only the violent—or the men of exceptional capacity—who are able in any comprehensive way to take possession of it at all.' Whatever this remarkable sentence may mean . . . it is clear that in the case of Mr. Mallock the kingdom of knowledge refused to yield to violence" (p. 31).

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I

Of the current misconceptions of the Marxian system, the most fundamental and most general is the opinion that the labor-theory of value is the corner-stone of Marxian socialism. From this is derived the equally erroneous opinion that Marx's demand for social justice stands or falls with his theory of value. Or, as a recent Marx critic, Mr. J. E. Le Rossignol, professor of economics in the University of Denver, puts it: "Orthodox socialists are deeply concerned to prove it true, for if it can be shown that all values are created by labor alone, it must surely follow that all should belong to the hand and brain that created them."[1] This ethical interpretation of the Marxian theory of value and the desire to base socialism upon this theory are characteristic of the bulk of the academic literature about Marx. Thus Professor Foxwell writes about Professor Menger:

> For him (Menger) Marx, not Ruskin, is the type of the socialist. Socialism in this sense, the only one really distinctive, has been well defined by Mr. Rae, in terms which Dr. Menger might have drafted himself: "It is not a theory of the state's action, but a theory of the state's action founded on a theory of the laborer's right—at bottom a demand for social justice—that every man shall possess the whole produce of his labor."[2]

Giving to the Marxian system this interpretation, Professor Menger was logically justified in making the courageous statement that "Marx is far inferior to Thompson, so that the work of the latter may be regarded as the foundation stone of socialism."[3] This statement is exceedingly interesting. It proves that by making an ethical labor-theory of value the spring and center of Marxian socialism, one *eo ipso* wipes out the difference between the sentimental, utopian socialism of the first half of the last century and modern so-called scientific socialism. Most of the academic writers have attributed to Marxian theory

[1] Le Rossignol, Orthodox Socialism, A Criticism (New York, 1907), p. 15.

[2] H. S. Foxwell, Introduction to Anton Menger, Right to the Whole Produce of Labour (London, 1899), p. xvii.

[3] Menger, *op. cit.*, p. 102.

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precisely this sentimental character, but without drawing the logical conclusions.

What meaning then, the economist will justly ask, has Marx's theory of value? The answer is simple. Marx's theory of value occupies in his economic system the same position that the theory of value has occupied or has tried to occupy in many other systems. The classical systems of political economy were all metaphysics of commodities, philosophies of production and circulation. In Marx's metaphysics of production the theory of value occupies the same central position as the *Substanz-problem* in philosophical systems. This analogy is striking even in the phraseology of Marx. Marx is a realist, even a materialist, and is consistently, passionately, and naively so; but where he is dealing with a problem, the very existence of which could not be recognized by a strict and consistent realism, he has to fall back on mediæval scholasticism. Listen to his language:

> 1 quarter corn = x cwt. iron. What does this equation tell us? *It tells us that in two different things—in 1 quarter of corn and x cwt. of iron —there exists in equal quantities something common to both. The two things must therefore be equal to a third, which in itself is neither the one nor the other.* . . . Let us now consider the residue of each of these products; it consists of the same unsubstantial reality in each, a mere congelation of homogeneous human labor, of labor-power expended without regard to the mode of its expenditure. All that these things now tell us is that human labor-power has been expended in their production, that labor is embodied in them. When looked at as crystals of this *social substance*, common to them all, they are Values.[1]

That is written by Mark the materialist and sworn to by Engels —the same Engels who was so vastly amused by Kant's "*Ding an sich*," and who instructs us that chemistry in its recent progress has put an end to such mysterious entities.[2]

Whatever the faults and merits of Marx's theory of value may be, it was not intended as an ethical basis for socialism, but as a means of interpreting economic phenomena. It is quite true

[1] Marx, Capital, English translation, pp. 3, 4, 7. The italics are mine.

[2] Engels, Socialism, Utopian and Scientific (Chicago, 1905), p. xvii.

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that his theory of value is the central theory upon which his economic analysis of the capitalistic system rests, in short, the foundation of his economic doctrine; but this theory plays no rôle whatsoever in his socialistic doctrine, which purports to be nothing more than a demonstration that socialism is inevitable.

Marx's socialistic doctrine is intensely realistic. He describes the existing economic phenomena and argues that the sum of these phenomena is bound to result in the expropriation of the means of production, in socialism. In this argument he deals with the economic phenomena historically, *i. e.*, he does not analyze them philosophically, but treats them as existing powers, and he expounds their political and social effects, which he regards as necessary and unavoidable. The key to his socialist doctrine is the economic interpretation of history with the class-struggle doctrine following in its train. Accordingly, the doctrine of modern so-called "scientific" socialism is found in all its completeness in the *Communist Manifesto*, which contains no reference to any theory of value. It is, on the other hand, when Marx is at work analyzing and explaining the economic phenomena of capitalistic society that his ingenious theory of surplus value is elaborated. This theory is to him the key-word by which we are enabled to decipher and comprehend all economic phenomena. It must always be remembered that, from Marx's viewpoint, the actual economic phenomena are the motor-powers of society determining its future. No analysis or interpretation of these phenomena, whether it be scientific or unscientific, increases or diminishes their sovereign power. Interpretation affects them no more and no less than a volume of astronomy affects the solar system.

How then did it happen that it was the theory of surplus value that primarily drew the fire of the learned economists; and why did most of them seem to think that in disproving that theory they had delivered a mortal blow to modern socialism? First of all, perhaps, because certain socialist agitators tried to make emotional capital out of the theory of surplus value. This circumstance can not, however, serve as an excuse for scholars who have undertaken to criticise Marxian socialism. Even if they deemed it unnecessary to study Marx's own writings, they

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could have learned from many a propagandist leaflet[1] what rôle the theory of surplus value actually plays in the Marxian system. Secondly—and this probably furnishes in most cases the truer explanation of their misconceptions—they were not sufficiently impressed by the peculiarities of Marxian socialism to be disposed to draw a sharp line between the socialism of Marx and the socialism of his predecessors. It seemed to them, probably, like making two bites of a cherry: socialism is socialism, and its variations are but differences in shade. All pre-Marxian socialism was distinctly ethical; every peroration against capitalism contained or implied an appeal for social justice. Whenever the word "exploitation" was used, they accordingly thought themselves justified in looking for the usual end of the sermon. When Marx, in his *Capital*, describes the development of the English factory system, he does not mince matters. He makes the respectable English blue-books, to use Bernard Shaw's phrases, convict capital "of wholesale spoliation, murder and compulsory prostitution; of plague, pestilence and famine; of battle, murder and sudden death."[2] The citation of those deplorable facts and the energy of Marx's language struck some gentle scientific souls as an appeal for socialism. Add the circumstance that the first part of Marx's bulky volume was devoted to the elaboration of his theory of surplus value—a theory so little complimentary to the capitalistic organization

[1] For instance, see Paul Fischer, Die Marx'sche Werttheorie, Berliner Arbeiterbibliothek, Serie 1, Heft 9 (Verlag des *Vorwärts*, 1893), pp. 33, 34: "Die bürgerlichen Oekonomen haben die Marx'sche Werttheorie für das Hauptbollwerk erklärt, mit welchem der Sozialismus stehe und falle. . . . In fast allen Kritiken der Grundlagen des Marx'schen Systems spitzt sich die Frage nach der Richtigkeit oder Unrichtigkeit der Werttheorie auf die Alternative zu: Entweder Umsturz der Marx'schen Werttheorie oder Umsturz der Gesellschaft! . . . Diese ihre Meinung nun oktroyieren sie sans façon Marx auf. *Weil sie sich einbilden, eine Werttheorie könne von direktem Einfluss auf die Entwickelung der Gesellschaft sein, setzen sie bei Marx ohne weiteres dieselbe Einbildung voraus.* Ihre eigene vulgär-ökonomische Anschauungsweise als Masstab an die Marx'sche Theorie legend, *verfallen sie in den kolossalen Irrtum, die Werttheorie nicht bloss für den Ausgangspunkt seiner Kritik der bürgerlichen Oekonomie, sondern auch für die Grundlage seiner sozialistischen Forderungen zu halten.* Sie verkennen also total die Rolle welche die Werttheorie spielt." The italics are mine.

[2] Fabian Essays in Socialism, edited by G. Bernard Shaw, pp. 220, 221.

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of society—and how could there be any doubt that Marx's doctrine is an ethical appeal for justice, and that the theory of value is its foundation? And if the Marxian theory of value be the foundation of a social movement that is growing so rapidly, then to destroy socialism one has only to destroy the labor-theory of value. Thus it is that we are blessed with so large a literature on the Marxian theory of value.[1]

In vain did Marx's co-worker and literary executor, Frederick Engels, protest against the putting of such an interpretation upon the theory of value. As early as 1884 Engels wrote:

This application of the Ricardian theory, according to which the whole social product belongs to the sole producers, the workers, as *their* product, leads directly to communism. This theory, however, as Marx has pointed out, is from an economic point of view formally false, since it is an application of ethics to economics. According to the laws of the bourgeois economy the greater part of the product does not belong

[1] Eduard Bernstein disputes a statement in my "Krisis der Sozialdemokratie" (Conrad's *Jahrbücher*, Bd. XVII, 1899, Heft 6): "Unrecht hatte aber diese Kritik, wenn sie meinte, dass mit der Widerlegung der Marx'schen Werttheorie der Marxistische Sozialismus widerlegt oder auch nur erschüttert wird." Bernstein responds, in Die heutige Sozialdemokratie in Theorie und Praxis (München, 1906): "Dieses Naturgesetz der kapitalistischen Wirtschaftsweise aber ist nach der Marx'schen Lehre eben das oben gekennzeichnete Wertgesetz: die Lehre vom Arbeitswert und die auf *ihm aufgebaute Mehrwertlehre*. Gibt man sie auf, so rüttelt man damit ganz bedeutend am Marx'schen Sozialismus" (pp. 24, 25). It seems that the difference between us is one rather of terminology than of substance, but Bernstein's terminology is misleading. He obviously understands under the term "Marxian socialism" both Marx's historico-sociological doctrine, which deals with the real economic phenomena, and his economic doctrine, which tries to explain these economic phenomena. The theory of surplus value is vital only in the economic doctrine. In my opinion Marxian socialism rests upon the actual economic phenomena, such as concentration of industry, commercial crises, *etc.*, and not upon their economic analysis, which is of academic interest only. Besides, the economic system of Marx does not necessarily collapse with the abandonment of the labor-theory of value. For what purpose is the labor-theory of value constructed? For the sake of the theory of surplus value. For what purpose is the theory of surplus value constructed? To explain the whole of our capitalistic organization as a struggle for the rate of surplus, which is the motor power in our industrial development. One could, it seems to me, cut out or modify the theory of value, substitute the conception of profit for surplus value, and go on with the Marxian explanation of our economic life as a struggle for the rate of profit. But whether this is feasible or not, the collapse of the Marxian theory of value could be of moment to Marxian socialism only as a blow to the prestige of Marx and to his generally assumed infallibility.

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to the workers who have produced it. Now if we should say that it is unjust that this should be so, in the first place this does not concern economics. All that we can say is that this economic fact contradicts our moral sentiment. Upon this, therefore, Marx never based his communistic demands, but upon the inevitable cataclysm of the capitalistic mode of production, which is going on before our eyes.[1]

Marx himself emphasizes the same thought in different ways on all sorts of occasions. For example, in his *Capital* he criticises, in Proudhon, precisely that ethical attitude which the critics of Marx attribute to Marx himself.

Proudhon begins by taking his ideal of justice, of "justice éternelle," from the juridical relations that correspond to the production of commodities. . . . Then he turns around and seeks to reform the actual production of commodities, and the actual legal system corresponding thereto, in accordance with this ideal. What opinion should we have of a chemist who, instead of studying the actual laws of the molecular changes in the composition and decomposition of matter, and on that foundation solving definite problems, claimed to regulate the composition and decomposition of matter by means of the "eternal ideas" of "naturalité" and "affinité"? Do we really know any more about "usury," when we say it contradicts "justice éternelle," "équité éternelle," "mutualité éternelle" and other "verités éternelles" than the fathers of the church did when they said it was incompatible with "grâce éternelle," "foi éternelle" and "la volonté éternelle de Dieu"?[2]

Not only does Marx himself avoid appeal to ethical ideas, but the entire plan on which his system is constructed obliges him to take a non-ethical attitude toward economic phenomena. Does he not justify capitalism by emphasizing its absolute necessity? In the preface to his *Capital* he quotes with approval a Russian critic who has clearly apprehended his main idea. This critic tells us that Marx is trying to prove

both the necessity of the present order of things, and the necessity of

[1] Karl Marx, Das Elend der Philosophie, deutsche Uebersetzung, 2te Auflage (Stuttgart, 1892), Friedrich Engels, Vorwort, p. ix.

[2] Marx, Capital, English edition (London, 1891), vol. i, p. 56.

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another order into which the first must inevitably pass over, and this all the same, whether men believe or do not believe it, whether they are conscious or unconscious of it. Marx treats the social movement as a process of natural history, governed by laws not only independent of human will, consciousness and intelligence, but rather, on the contrary, determining that will, consciousness and intelligence.[1]

How could such an attitude be reconciled with a plea for another social order on any moral ground, *e. g.*, on the ground that the worker is not getting the whole produce of his labor?[2]

II

In Brussels [Marx writes], where I was exiled by Guizot, I organized together with Engels, W. Wolff and others, a German "Arbeiterbildungsverein," which still exists. We published at the same time a series of printed and lithographed pamphlets, in which we criticised mercilessly that mixture of French-English socialism or communism with German

[1] Marx, Capital, English ed., vol. i, pp. xxvii, xxviii.

[2] Sombart was absolutely right in what he had to say about Professor Julius Wolf's book on Socialism, and some of his charges hold good as regards nearly the whole critical literature on Marx, not excepting the most recent publications. Special attention should be paid to the following paragraph in Sombart's criticism: "Zum fast alleinigen Ziel seines Angriffs macht Wolf den Marxismus, obwohl er ihn—eine verhängnisvolle Nachlässigkeit—nirgends scharf von anderen sozialistischen Systemen unterscheidet. Einem richtigen Verständniss irgend einer der Marx'schen Hauptlehren war nun aber in dem Augenblicke die Möglichkeit abgeschnitten, als es dem Kritiker nicht gelungen war, den rein theoretischen Charakter des Marxismus zu erkennen. *Darin dass Wolf die Lehre von Marx verethisiert*, dass er sie, um einen Marx'schen Ausdruck zu gebrauchen, vermöncht, liegt das πρῶτον ψεῦδος der gesammten kritischen Ausführungen des vorliegenden Buches. Das hätte Wolf vor allem einsehen müssen, dass sich der Marxismus von allen übrigen sozialistischen Systemen, die ich im Gegensatz zu ihm unter der Bezeichnung des ethischen Sozialismus zusammenzufassen vorschlage, durch seine antiethische Tendenz unterscheidet. Im ganzen Marxismus von vorn bis hinten steckt auch nicht ein Gram Ethik, folglich aber ebensowenig ein *ethisches Urteil* als ein ethisches *Postulat*. Weder behauptet Marx an irgend einer Stelle, dass der Mehrwert dem Unternehmer nicht 'gebühre' noch dass der Arbeiter ein 'Recht auf den vollen Arbeitsertrag' habe. Nun läuft aber ein grosser Teil der Wolf'schen Kritik auf eine ethische Auseinandersetzung mit Marx über das 'Gebührliche' oder 'Ungebührliche' in der heutigen Produktionsordnung und Einkommensverteilung hinaus . . . und endlich heisst es zusammenfassend: 'Das Recht auf den vollen Arbeitsertrag begreift nach sozialistischer Auffassung alle Theorie und Praxis des Sozialismus in sich.' Hätte Wolf hinzugefügt 'mit Ausnahme des Marxismus,' so hätte er das Richtige getroffen. Dass er aber diesen in erster Linie einbegreift, macht die wichtigsten Angriffe seiner Kritik zu Windenmühlenkämpfen." Braun's *Archiv für soziale Gesetzgebung und Statistik*, 1892, vol. v, pp. 489, 490.

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philosophy which then formed the doctrine of the "Bund."[1] Instead of that we postulated the scientific insight into the economic structure of civil society [*bürgerliche Gesellschaft*] as the only defensible theoretical basis of socialism. We also explained, in a popular form, that it is not a question of putting through some utopian system, but of taking a conscious part in the process of social transformation which is going on before our very eyes. . . . In the manifesto written for workingmen I discarded all systems and put in their stead a critical insight into the conditions, progress and general results of the actual social movement.[2]

This is Karl Marx's testimony in his own behalf as to the origin and scope of his socialistic doctrine. What did he mean by a critical insight into the conditions of this social movement? What was the fundamental proposition of the *Communist Manifesto*, which is the first outline of modern scientific socialism? Let us again listen to the testimony of one of the authors:

The *Manifesto* being our joint production [writes Engels], I consider myself bound to state that the fundamental proposition which forms its nucleus belongs to Marx. That proposition is: that in every historical epoch, the prevailing mode of economic production and exchange, and the social organization necessarily following from it, form the basis upon which is built up, and from which alone can be explained, the political and intellectual history of that epoch.[3]

[1] Marx is referring to the "Bund der Kommunisten." The history of that organization and an account of the relations of Marx and Engels to it may be found in Engels' preface to Karl Marx, Enthüllungen uber den Kommunistenprocess in Köln (Nottingen-Zürich, 1885), pp. 3–17.

[2] Karl Marx, Herr Vogt (London, 1860), pp. 35, 42.

[3] Engels' preface to the Communist Manifesto, English edition (Chicago, Chas. H. Kerr and Company), p. 8. This conception of the economic interpretation of history was for the first time adequately formulated by Marx a decade after the appearance of the Manifesto in his Zur Kritik der politischen Oekonomie, published in 1859. Those passages are so important, that we quote them here in full: "In the social production which men carry on, they enter into definite relations that are indispensable and independent of their will; these relations of production correspond to a definite stage of development of their material powers of production. The sum total of these relations of production constitutes the economic structure of society—the real foundation, on which rise legal and political superstructures and to which correspond definite forms of social consciousness. The mode of production in material life determines the general character of the social, political and spiritual processes of life. It is not the consciousness of men that determines their existence, but, on the contrary, their

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And it is not merely for explanation of the past that we are to look to the mode of production and exchange; for these processes now determine and will continue to determine all our intricate social relations, all our ideal conceptions. In the hollow of their hand lies our fate: they have decided upon our past and they will settle our future. The conditions and contingencies of social production have divided society into classes, and all the history of hitherto existing society is a history of class struggles.

Freeman and slave, patrician and plebeian, lord and serf, guildmaster and journeyman, in a word, oppressor and oppressed, stood in constant opposition to one another, carried on an uninterrupted, now hidden, now open fight—a fight that each time ended either in a revolutionary reconstruction of society at large or in the common ruin of the contending classes.[1]

The modern "bourgeois" society has grown up on the ruins of the feudal society. The discovery and colonization of the new world, trade with the East Indies and the general development of the means of exchange gave to commerce and indus-

social existence determines their consciousness. At a certain stage of their development, the material forces of production in society come into conflict with the existing relations of production, or—what is but a legal expression for the same thing—with the property relations within which they had been at work before. From forms of development of the forces of production these relations turn into their fetters. Then comes the period of social revolution. With the change of the economic foundation the entire immense superstructure is more or less rapidly transformed. In considering such transformations the distinction should always be made between the material transformation of the economic conditions of production, which can be determined with the precision of natural science, and the legal, political, religious, aesthetic or philosophic—in short ideological—forms in which men become conscious of this conflict and fight it out. Just as our opinion of an individual is not based on what he thinks of himself, so can we not judge of such a period of transformation by its own consciousness; on the contrary, this consciousness must rather be explained from the contradictions of material life, from the existing conflict between the social forces of production and the relations of production. No social order ever disappears before all the productive forces, for which there is room in it, have been developed; and new higher relations of production never appear before the material conditions of their existence have matured in the womb of the old society." Karl Marx, A Contribution to the Critique of Political Economy, English translation by N. S. Stone, pp. 11, 12.

[1] Communist Manifesto, p. 12.

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try an impulse never before known. The feudal organization of society was too narrow to hold within its limits modern industry and commerce even in their infantile stages. The feudal restrictions were burst asunder. The rule of the aristocracy was pushed aside and the modern bourgeoisie took its place in political life. The bourgeoisie as a class has played a most revolutionary rôle. Just as conservation of the old mode of production was the condition of existence of the feudal society, so constant technical improvement, constant advance, constant revolutionizing of the instruments of production have become capitalism's very breath of life.

> The bourgeoisie has disclosed how it came to pass that the brutal display of vigor in the middle ages, which reactionists so much admire, found its fitting complement in the most slothful indolence. It has been the first to show what man's activity can bring about. It has accomplished wonders far surpassing Egyptian pyramids, Roman aqueducts and Gothic cathedrals; it has conducted expeditions that have put in the shade all former exoduses of nations and crusades.[1]

The constant revolutionizing of production is accompanied by an uninterrupted agitation and disturbance and is followed by a constant change in social conditions—a circumstance which distinguishes the capitalistic era from all other epochs in human history. No frozen relations, no venerable prejudices for our age! Prejudices have no chance to become rooted, opinions have no chance to ossify. They are swept away before they are antiquated in this whirlwind of industrial progress. Industry has lost its national character. The need of larger markets chases the capitalist over the surface of the globe; it forces him to settle everywhere, to establish connections everywhere. On pain of extinction it compels nations to drop their ancient traditions and to adopt the capitalistic mode of production and the bourgeois conception of the world. Cheap commodities batter down all Chinese walls, and the bourgeois creates a new world after his own image. Class issues and class struggles are therefore losing their national character, they are becoming as cosmopolitan as the bourgeoisie and its capitalist mode of produc-

[1] Communist Manifesto, pp. 16, 17.

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tion. The capitalistic centralization of means of production is also centralizing the scattered population: it has brought the laboring masses into towns. The extensive use of machinery has stripped work of all its individual character; the laborer's personality fades in the factory, where he becomes a mere appendix to the machine during the day; nor can his sense of separate existence be cultivated in the dingy tenement house quarters, where he is packed for the night. The more readily, therefore, do these multitudes merge into one solid class, the proletariat, conscious of its separate class existence, with tasks, aims and destinies widely different from the bourgeoisie, the class that owns the means of production.

The bourgeoisie, being, as we have seen, a highly progressive class, finds itself involved in constant political struggles. In the early stages of its development it has to fight with the aristocracy for political supremacy. Later on it finds itself involved in a struggle with those portions of the middle class whose interests have become antagonistic to the progress of industry. In all these struggles the bourgeoisie has to appeal to the laboring class, to the proletariat, for help and support. Thus the laboring class is drawn into the political arena. There it is supplied with the elements of political education—weapons which are destined to be turned against the ruling class.

But that is not all. The very progress of capitalistic production and accumulation increases the numbers and the political strength of the proletarians and depletes the ranks of the natural defenders of capitalism. Property makes for conservatism; but industry and commerce rapidly destroy the property of the small tradespeople, shopkeepers, handicraftsmen and farmers. All these are doomed to sink into the proletariat, partly because they have not sufficient capital for the scale on which modern industry, commerce and agriculture are carried on, partly because they are swamped by the competition of large capitalists, partly because their special skill is rendered worthless by modern methods of production. These proletarians, instead of rising with the progress of industry, sink deeper and deeper. In the past, we are told by the authors of the *Communist Manifesto*, the oppressed classes, in order that the op-

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pression might continue, had their existence assured; they also had a chance to rise and thus raise their own class. The serf in the period of serfdom managed to raise himself to membership in the commune; the burgher under feudal rule developed into the modern bourgeois. The proletariat, we are informed, has no such chances.

> The modern laborer, on the contrary, instead of rising with the progress of industry, sinks deeper and deeper below the conditions of existence of his own class. He becomes a pauper, and pauperism develops more rapidly than population and wealth. And here it becomes evident that the bourgeoisie is unfit any longer to be the ruling class in society, and to impose its conditions of existence upon society as an overriding law. It is unfit to rule, because it is incompetent to assure an existence to its slave within its slavery, because it cannot help letting him sink to such a state that it has to feed him instead of being fed by him.[1]

Capitalism is not only threatening the very life of the proletariat, it is undermining its own existence. Capitalistic society is rapidly approaching a complete cataclysm. Modern society, having called into existence unparalleled means of exchange and gigantic means of production, is like the sorcerer who can no longer cope with the powers of the nether world which his incantations have conjured up. For decades we have been witnessing a distinct rebellion of the modern forces of production against the conditions of production, *i. e.*, property conditions, property relations. This rebellion finds expression in the periodical return of that modern epidemic, the commercial crisis, which is threatening more and more the whole bourgeois society. And all the misery that accompanies such a crisis is due to overproduction. The masses of the people are in want of the means of subsistence because too much has been produced! The forces of production let loose, spurred by wild competition, are here fettered by the narrowness of the bourgeois property relations.

> As a matter of fact [writes Engels], since 1825, when the first general

[1] Communist Manifesto, p. 31.

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crisis broke out, the whole industrial and commercial world, production and exchange among all civilized peoples and their more or less barbaric hangers-on, are thrown out of joint about every ten years. Commerce is at a standstill, the markets are glutted, products accumulate, hard cash disappers, credit vanishes, factories are closed, the mass of the workers are in want of the means of subsistence, because they have produced too much of the means of subsistence; bankruptcy follows upon bankruptcy, execution upon execution. The stagnation lasts for years; productive forces and products are wasted and destroyed wholesale, until the accumulated mass of commodities finally filter off, more or less depreciated in value, until production and exchange gradually begin to move again. Little by little the pace quickens. It becomes a trot. The industrial trot breaks into a canter, the canter in turn grows into a headlong gallop, a perfect steeplechase of industry. And so over and over again. We have now, since the year 1825, gone through this five times, and at the present moment (1877) we are going through it for a sixth time.[1]

The conquest of new markets and the more thorough exploitation of the old ones do but pave the way for more extensive, more destructive, more formidable crises.

In these crises the whole mechanism of capitalist production breaks down under the pressure of productive forces which the existing society can neither utilize nor harness. Thus capitalism stands convicted of incapacity further to direct these forces. The concentration of industry and of wealth, the proletarization of the masses, the deterioration of the proletariat, the increasing virulence of class struggles in politics and the increasing disastrousness of commercial crises—what do these developments indicate but the rapidly approaching cataclysm of the capitalistic mode of production? And what do they herald but the expropriation of the means of production by society as a whole?

The concentration of industry is already socializing production. The old anarchic production is gradually disappearing. The producers on a large scale in a particular branch unite in trusts, determine the total production and regulate the price.

[1] Frederick Engels, Socialism, Utopian and Scientific, translated by E. Aveling (New York, 1901), pp. 41, 42; Kerr edition (Chicago, 1905), pp. 64, 65.

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In these trusts, freedom of competition changes into its very opposite —into monopoly; and the production without any definite plan of capitalistic society capitulates to the production upon a definite plan of the invading socialistic society. Certainly this is so far still to the benefit and advantage of the capitalists. But in this case the exploitation is so palpable that it must break down. No nation will put up with production conducted by trusts, with so barefaced an exploitation of the community by a small band of dividend-mongers.[1]

While the concentration of industry goes on, the capitalist mode of production completes the transformation of the majority of the population into proletarians,[2] who under the penalty of their own destruction are bound to seize the political power and turn the socialized means of production into state property, thereby putting an end to their own misery, to the existence of a ruling class and to all class struggle. The final step will require a forcible overthrow of all existing social conditions. Let then the ruling class tremble before the coming social revolution. The proletarians have a world to gain and nothing to lose but their chains. The proletarians do not indulge in utopias. They are not concerning themselves with the details of the future socialist organization of society; when the time comes, the very conditions of production will determine the mode of distribution. All that the proletarians are called upon to do is to take a conscious part in the inevitable class struggle. Their victory is fore-ordained.[3]

These are the fundamental conceptions of Marxian socialism, of modern socialism, of so-called scientific socialism. This in the "common platform acknowledged," to use the phrase of Engels, "by millions of workingmen from Siberia to California." Let us look into these doctrines.

[1] Engels, *op. cit.*, New York ed., p. 44; Chicago ed., p. 69.

[2] *Ibid.* p. 48.

[3] "Die Aufhebung des Privateigentums an den Produktionsmitteln wird durch die ökonomische Entwicklung zu einer Naturnotwendigkeit gemacht. Aber dieselbe ökonomische Entwickelung führt mit gleicher Nothwendigkeit die Produktionsweise herbei, die an Stelle der bestehenden treten wird und muss, und wer Augen hat zu sehen, kann ihre Keime heute schon, und zwar ziemlich emporgewachsen, erblicken." Karl Kautsky, Grundsätze und Forderungen der Sozialdemokratie, Erläuterungen zum Erfurter Programm (Berlin, 1892), p. 15.

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III.

Marxism, as we have seen, claims to have little interest in pious wishes. Its "fundamental proposition" is the economic interpretation of history.[1] In the light of this theory it examines contemporary economic tendencies, commercial crises, concentration of production, proletarization of the masses, the class struggle, *etc.*, and comes to the conclusion that socialism, *i. e.*, expropriation of the means of production by the working class in the interests of society as a whole, is inevitable and certain. It does not imagine that a new organization of society can be forcibly introduced before society is ready for it. Marx categorically states that "no social order ever disappears before all the productive forces, for which there is room in it, have been developed; and new higher relations of production never appear before the material conditions of their existence have matured in the womb of the old society."[2]

How could Marx make such a statement, and yet believe in the imminent breakdown of capitalism, with socialism speeding on its trail? The answer is that the economic interpretation of history had for Marx and Engels in the middle of the last century quite a different meaning from that which even the most ardent and orthodox socialists can possibly give to it to-day. An incident narrated by Liebknecht in his reminiscences of Marx may serve as an illustration:

> Marx, all flushed and excited, told me that during the last few days the model of an electric engine drawing a railroad train was on exhi-

[1] Engels himself calls the economic interpretation of history the "fundamental proposition." That it is the fundamental proposition is of course evident from the whole system. Yet in Professor Le Rossignol's recent book on Orthodox Socialism we read: "And if it could by any possibility be shown that socialism, as a system of thought, is utterly untenable, the true socialist would retreat to his last stronghold, and say that socialism, in the last analysis, is not a system of thought, but a process of social evolution, a law of the industrial world irresistibly moving on toward its final destiny" (p. 5). What this author means by Marx's "system of thought" is not made evident; but it is clear that he fails to see that the economic interpretation of history underlies the Marxian system. It is this interpretation of history that furnishes the Marxian socialist with the "process of social evolution," which is not his last, but his first and last stronghold.

[2] Marx, A Contribution to the Critique of Practical Economy, translated by N. I. Stone, p. 12.

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bition in Regent Street. Now the problem is solved—the consequences are indefinable. In the wake of the economic revolution the political must necessarily follow, for the latter is only the expression of the former.[1]

And poor Liebknecht could not sleep that night, for he saw the revolution coming. The model on Regent Street was to him a Trojan horse, which the bourgeois society was leading in suicidal blindness into the citadel. Now the fate of capitalism was settled! That was in July 1850. "And to-day is 1896, the beginning of April," adds Liebknecht sadly. This incident gives an idea of the tempo in which Marx believed that social readjustments are bound to follow economic changes, the tempo in which all the "superstructures" of legal and political nature, all the "ideological" expressions of human consciousness are dragged and driven by the material forces of production. In his belief the body of law that corresponds to a certain mode of production becomes not only antiquated but meaningless and invalid as soon as the mode of production changes. Marx did not express this merely as an academic proposition, he made it his defence when charged with agitating an armed rebellion. Before the court and jury of Cologne he pointed to the Code Napoléon and declared it to be no more binding than a stack of waste paper. It had lost for him its validity, because the economic conditions, to which it gave expression, had ceased to exist.[2] A social revolution was therefore imminent. In the

[1] Liebknecht, Karl Marx, Biographical Memoirs (Chicago, 1906), p. 57.

[2] "Die Gesellschaft beruht aber nicht auf dem Gesetze. Es ist das eine juristische Einbildung. Das Gesetz muss vielmehr auf der Gesellschaft beruhen, es muss Ausdruck ihrer gemeinschaftlichen, aus der jedesmaligen materiellen Productionsweise hervorgehenden Interessen und Bedürfnissen gegen die Willkür des einzelnen Individuums sein. Hier, der Code Napoléon, den ich in der Hand habe, er hat nicht die moderne bürgerliche Gesellschaft erzeugt. Die im 18ten Jahrhundert entstandene, im 19ten fortentwickelte bürgerliche Gesellschaft findet vielmehr im Code nur einen gesetzlichen Ausdruck. Sobald er den gesellschaftlichen Verhältnissen nicht mehr entspricht, ist er nur noch ein Ballen Papier. Sie können die alten Gesetze nicht zur Grundlage der neuen gesellschaftlichen Entwicklung machen, so wenig als diese alten Gesetze die alten gesetzlichen Zustände gemacht. Aus diesen alten Zuständen sind sie hervorgegangen, mit ihnen müssen sie untergehen. Sie verändern sich notwendig mit den wechselden Lebensverhältnissen. Die Behauptung der alten Gesetze gegen die neuen Bedürfnisse und Ansprüche der gesellschaftlichen Entwicklung ist im

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autumn of 1850, in the magazine *Die neue Rheinische Zeitung*, Marx states with assurance: "A new revolution is possible only in consequence of a new crisis. *The former, however, is as certain as the latter.*"[1] The crisis came and the crisis went, but there was no sign of a revolution. This tends to show that no matter how great a discovery, how true a doctrine the economic interpretation of history may be, it is not an altogether safe instrument for social forecasts. In 1895, in his preface to Marx's *Klassenkämpfe in Frankreich*, Engels acknowledged the fact that he and Marx had altogether underestimated the strength and vitality of capitalistic society. "History has proven that we, and all that have thought similarly, were wrong. History has made it clear that the state of economic development on the continent was far from ripe for the abolition of the capitalistic mode of production."[2]

For a prognosis of the future the economic interpretation of history is available only when the economic factor is the only one with which we have to deal, when the other factors of social life are but feeble reflexes of the forces of production—*naturae naturatae*, to use Spinoza's expression—wholly incapable of exerting any independent influence. Then indeed the social organism is very simple, and social science can be reduced to a social mechanics. Did Marx actually carry his theory so far as this? As early as 1852, in *The Eighteenth Brumaire of Louis Bonaparte*, he acknowledges the power of traditions:

> Man makes his own history, but he does not make it out of whole cloth; he does not make it out of conditions chosen by himself, but out of such as he finds close at hand. The traditions of all past generations weigh like an Alp upon the brain of the living.[3]

Grunde nichts anders als die scheinheilige Behauptung unzeitgemässer Sonderinteressen gegen das zeitgemässe Gesammtinteresse." Karl Marx vor den Kölner Geschworenen (Berlin, 1895), p. 15.

[1] "Eine neüe Revolution ist nur möglich im Gefolge einer neuen Krisis. *Sie ist aber auch ebenso sicher wie diese.*" Gesammelte Schriften von Karl Marx und Friedrich Engels, 1841–1850, Bd. III (Stuttgart, 1902), p. 468.

[2] Karl Marx, Die Klassenkämpfe in Frankreich, 1848–1850, mit Einleitung von Friedrich Engels (Berlin, 1895), p. 8.

[3] Karl Marx, The Eighteenth Brumaire of Louis Bonaparte, translated by Daniel De Leon (New York, 1898), p. 5. Of course the German word *Alp* should have been translated "nightmare."

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But while such concessions can be found in Marx's writings, his interpretation of history was from the beginning rigidly and harshly economic. In later years Engels had to confess that he and Marx were partly responsible for the fact that their followers sometimes laid more stress on the economic side than it deserved.[1] He admits that all the so-called ideological superstructures exert an influence and are in constant inter-reaction. The economic cause is but their original and perhaps very remote source. But still the economic factor is the predominant one. Thus Engels wrote in 1894:

> It is not that the economic situation is the cause, in the sense of being the only active agent, and that everything else is only a passive result. It is, on the contrary, a case of mutual action on the basis of the economic necessity, which in the last instance always works itself out.[2]

In the same letter Engels still further widens and modifies the economic interpretation. The geographical basis is included in economic relations, and "race is itself an economic factor."[3] Again we are told that all "the political, legal, philosophical, religious, literary and artistic development rest upon the economic. *But they all react upon one another and upon the economic basis.*"[4] This conception of history is very far from

[1] "Dass von den Jüngern zuweilen mehr Gewicht auf die ökonomische Seite gelegt wird, als ihr zukommt, haben Marx und ich theilweise selbst verschulden müssen. Wir hatten, den Gegnern gegenüber, das von diesen geleugnete Hauptprinzip zu betonen, und da war nicht immer Zeit, Ort und Gelegenheit, die übrigen, an der Wechselwirkung betheiligten Momente zu ihrem Recht kommen zu lassen. Aber soweit es zur Darstellung eines historischen Abschnitts, also zur praktischen Anwendung kam, änderte sich die Sache und da war kein Irrthum möglich. Es ist aber leider nur zu häufig das man glaubt eine neue Theorie vollkommen verstanden zu haben und ohne weiteres handhaben zu können, sobald man die Hauptsätze sich angeeignet hat und das auch nicht immer richtig. Und diesen Vorwurf kann ich manchen der neueren 'Marxisten' nicht ersparen, und es ist dann und wann auch wunderbares Zeug geleistet worden!" This letter is dated September, 1890, and was first published in *Der sozialistische Akademiker*, October, 1895. It is here quoted from Masaryk, Philosophische und soziologische Grundlagen des Marxismus (Wien, 1899), p. 104.

[2] Letter in *Der sozialistische Akademiker*, quoted in Woltman, Der historische Materialismus (1900), p. 249. A portion of the letter is also reprinted in Seligman, The Economic Interpretation of History (New York, 1902), pp. 64, 65.

[3] *Ibid.*

[4] *Ibid.* The italics are mine.

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the original contention of Marx and Engels. It is doubtful whether this economic interpretation is methodology's last word, but it has stood its ground well. Scholarly criticism, like that of Stammler, Seligman and others, has considerably broadened and modified the theory but has not overthrown it.

The paramount importance of the economic factor in history has been practically conceded, but whether this new method will transform history into an exact science is exceedingly doubtful. One of the obstacles in the way of scientific history is the general desire of men for unscientific history. What social science can tell us with tolerable accuracy, *viz.*, the broad, general changes in humanity's methods of work, in its conceptions and its institutions, does not satisfy us. It is life in terms of life that attracts us. We want books like *The True Portraicture of His Sacred Majesty King Charles I in His Solitudes and Sufferings;* we want to hear all about the personal life and influence of every mistress of Louis XIV; we want all the actors and puppets of history depicted and analyzed. It is scientifically impossible, but the impossible has to be done. *Vox populi, vox Dei.* Accordingly, the historian revivifies dead heroes and tells us more about them than he could truthfully state about his next-door neighbor, often more than he actually knows about himself. In doing so, however, the historian makes no freer use of his imagination than the theologian, the philosopher, the sociologist, or any talkative scientist in his particular branch of knowledge. Mephisto might have addressed them all:

> Is it the first time in your life you're driven
> To bear false witness in a case?
> Of God, the world, and all that in it has a place,
> Of man, and all that moves the being of his race,
> Have you not terms and definitions given
> With brazen forehead, daring breast?
> And, if you'll probe the thing profoundly,
> Knew you so much—and you'll confess it roundly!
> As here of Schwerdtlein's death and place of rest?

Quite so! And yet among the traits that humanity cannot

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lose without losing its identity are the "brazen forehead and daring breast"—in other words, the aspiration to know, to understand, to comprehend. Our conceptions have varied, so has our knowledge, but never our desire. The effort of thought and imagination to go beyond the limits of knowledge is only a part of our constant endeavor to overcome by intellect our physical disabilities. There are, in the history of such efforts, partial failures more inspiring than our most signal successes. A place of honor among such partial failures belongs to Marx's economic interpretation of history. It was an attempt to make an exact science of our past, to solve the problems of the present and to disclose to us with scientific precision our future. We have seen that the method has already lost the extreme simplicity which constituted its chief youthful charm. It is no longer simply economic; the independent power and influence of our traditions, our political and religious convictions and our various ideologies have been recognized; and no method has been discovered to measure quantitively the forces of these ideal powers, either absolutely or in relation to the basic economic factor. Under these circumstances and in view of the complexity of the forces that must be taken into account, no scientific prognosis of our future is possible. In a general way we can of course discuss the probable political or social consequences of our present economic tendencies. There is nothing to hinder prophecy, but there is also no guaranty of its fulfilment. It has already been pointed out that the economic interpretation of history is of great value in analyzing the underlying conditions of a given historic epoch. Engels' amendments to the original formulation of the economic interpretation are so broad that it has entirely lost its original character of a cook-book recipe for making history. Even its name may be a misnomer, since traditions weigh and ideals count, and both modify the economic basis. But at least this much of it remains—its demand for a strictly realistic, consistent, causally connected history. In dealing with a social movement, a political event or a type of culture, the historian must causally explain its genesis. He cannot beg the question simply by appealing to some inborn traits and characteristics of the given decade or the given na-

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tion. These traits and characteristics must themselves be causally explained. But no explicit directions can be given for connecting a particular situation or event with particular precedent conditions or events. This is left to the judgment, discrimination and intuition of the historian. Of two historians, therefore, both adhering to the same method, one may prove himself an imbecile, the other a genius. The application of the method remains an art.

This is well illustrated by some of the writings of Engels. Here for instance is his explanation of the Protestant Reformation:

> The bourgeoisie, for the development of its industrial production, required a science which ascertained the physical properties of natural objects and the modes of action of the forces of nature. Now up to then science had but been the humble handmaid of the church, had not been allowed to overstep the limits set by faith, and for that reason had been no science at all. *Science rebelled against the church; the bourgeoisie could not do without science, and, therefore, had to join the rebellion.*[1]

So "bourgeoisie" and "science" are responsible for the Protestant revolt. That is both new and startling! The exact date of the appearance of the "bourgeoisie" is nowhere definitely given by Marx or by Engels, but as to its approximate date they leave no doubt. In the *Communist Manifesto* we are told that the rule of the bourgeoisie has lasted "scarce one hundred years,"[2] and that during the French Revolution the bourgeois epoch was still only "impending."[3] It therefore appears that the bourgeoisie was shaking Rome and remodeling religion some three hundred years before its epoch arrived. Still more remarkable is the activity attributed to science in the period of the Reformation. Science in the sense of Marx and of Engels did not then exist. Nor, in the pre-Reformation period, was there anything like the later conflict between science and

[1] Engels, Socialism, Utopian and Scientific (Chicago, 1905), p. xx. The italics are mine.

[2] Communist Manifesto, Kerr edition, p. 20.

[3] *Ibid.* p. 59.

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religion. There is no case on record in which the Church of Rome, before the Reformation, seriously interfered with learning. It had none of the organs of suppression which it later developed in such abundance. There was no *index expurgatorius*, and before the fifth Lateran Council there was no censorship of books. All new learning as a matter of fact was patronized by the worldly court of Rome. A certain amount of heresy was there considered a sign of good breeding. The air of Rome before the Reformation was certainly a great deal freer than that of Wurtemberg and Geneva after the Reformation. The statement, therefore, that the Reformation was in its essence a rebellion of science against the church is ludicrous. There are no facts to support it.[1]

Neither the bourgeoisie nor science had anything to do with the Reformation. Nor was it a religious issue at the outset, but,

[1] It is singular that Engels should not have perceived that the Protestant revolt was susceptible of a more direct and more plausible economic interpretation than that which he selected. *Cf.* Henry C. Lea, "The Eve of the Reformation," in The Cambridge Modern History, vol. i (New York, 1902), ch. xix, pp. 653–692. As a matter of fact the first to give an economic interpretation of the revolt was Luther himself. One has only to read his address, An den Christlichen Adel Deutscher Nation von des Christlichen Standes Besserung, to see that the Reformation was largely a protest against the fearful economic exploitation of Germany by the Church of Rome. Luther writes, for example: "Wie kommen wir Deutschen dazu, dass wir solche Räuberei, Schinderei unserer Güter von dem Papst leiden müssen? . . . Ich erachte, das deutsche Land giebt jetzt weit mehr gen Rom dem Papst dann vor Zeiten den Kaisern. Ja, es meinen etliche, dass jährlich mehr denn dreimalhundertthausend Gulden aus Deutschland gen Rom kommen, rein vergebens und umsonst, dafür wir nichts denn Spott und Schmach erlangen; und wir verwundern uns noch dass Fürsten, Adel, Städte und Stifter, Land und Leute arm werden—wir sollten uns verwundern, dass wir noch zu essen haben! . . . Hängen wir mit Recht die Diebe, und köpfen die Räuber, warum sollten wir freilassen den römischen Geiz, der der grösste Dieb und Räuber ist, der auf Erden kommen ist oder kommen mag. . . . Da ist ein Kaufen, Verkaufen, Wechseln, Tauschen, Rauschen, Lügen, Trügen, Rauben, Stehlen, Prahlen, Hurerei, Büberei . . . Es ist nichts mit Venedig, Antwerpen, Kairo gegen diesen Jahrmarkt und Kaufhandel zu Rom . . . Zuletzt hat der Pabst zu allen diesen edeln Handelsgeschäften ein eigen Kaufhaus aufgerichtet, das ist des Datorius Haus zu Rom. Dahin müssen alle die kommen, die dieser Weise nach um Lehen und Pfründen handeln . . . Hast du nun Geld in diesem Hause, so kannst du zu allen den gesagten Stücken kommen, und nicht allein dazu, sondern allerlei Wucher wird hier um Geld redlich, alles gestohlene, geraubte Gut gerechtfertigt . . . O, welch eine Schätzerei und Schinderei regiert da, dass es offenbar wird, dass alle geistliche Gesetze allein darum gesetzt sind, dass nur viel Geldstricke würden, daraus man sich muss lösen, wenn man ein Christ sein soll."

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as Mr. Henry C. Lea has pointed out, an economic issue.[1] In the famous indictment of the papacy by Ulrich Hutten, addressed to Leo X in 1517, there is not a single word about faith or doctrine. His "whole *gravamen*," as Mr. Lea observes, "consists in the abuse of power—the spoliations, the exactions, the oppression, the sale of dispensations and pardons, the fraudulent devices whereby the wealth of Germany was cunningly transferred to Rome."[1]

One cannot read the contemporary documents without being aware of the fact that the Protestant Reformation was a political revolution, chiefly incited by an economic grievance. It was a refusal of tribute to a foreign power. Mr. Lea shows that before the Reformation the most Catholic and orthodox states, like Spain and France and the Italian cities, were constantly on the verge of revolt against the papacy, and this on account of financial exactions, although there was also much complaint of interference in the administration of justice. All these symptoms and warnings, however, had no effect on Rome. The Curia continued to act as if the Decalogue had been intended to serve as a source of revenue for Rome. Its venality became proverbial. Even Æneas Sylvius, before he became pope, had no scruple, as Mr. Lea informs us, in asserting that everything was for sale in Rome, and that nothing was to be had there without money. The most popular books of the time, like the *Stultifera Navis* of Brandt and the *Schelmenzunft* of Thomas Murner, were savage attacks on Rome. Murner is never tired of dwelling on the scandals and exactions of the clergy from high to low, from bishop to monk. When the lord, he tells us, has shorn the sheep, the priest comes and fairly disembowels it. The invention of printing aided greatly in making the opposition to Rome European, in fusing local grievances into a general discontent and hostility. When Luther hung up his theses on the church door of Wittenberg, they were read and known a month later in every school and convent of Europe.

The Protestant revolt started in Germany, because this country was politically weak and therefore more exposed to Rome's

[1] Lea, *loc. cit.*, p. 667.

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rapacity. In France and Spain the kings were able to resist the demands of the Curia with some measure of success; in Germany the emperor had no corresponding power. "In 1521 the papal nuncio Aleander writes that, five years before, he had mentioned to Pope Leo his dread of a German uprising; he had heard from many Germans that they were only waiting for some fool to open his mouth against Rome." [1]

The financial exactions and venality of the Curia caused the Protestant revolt. That is Mr. Lea's explanation of the event. Here also we have an economic interpretation of history; but how different is the story from that told by Engels! [2]

[1] Lea, *loc. cit.*, p. 690.

[2] Extraordinary is also Engels's economic interpretation of predestinarianism. Calvin's doctrine of predestination, Engels informs us, "was the religious expression of the fact that, in the commercial world of competition, success or failure does not depend upon a man's activity or cleverness, but upon circumstances uncontrollable by him. It is not of him that willeth or of him that runneth, but of the mercy of unknown superior economic powers; and this was especially true at a period of economic revolution, when all old commercial routes and centres were replaced by new ones, when India and America were opened to the world, and when even the most sacred economic articles of faith—the value of gold and silver—began to totter and break down." Engels, Socialism, Utopian and Scientific, pp. xxi, xxii. As a matter of fact, however, the doctrine of predestination antedates considerably Calvin's writings and Engels's commercial routes. Compare, for instance, Romans viii, 30: "And whom he foreordained, them he also called: and whom he called, them he also justified: and whom he justified, them he also glorified." Engels could find the whole doctrine of predestination in St. Augustine's De libero arbitrio, in the fourth century, or in Scotus Erigena's De predestinatione, in the ninth century, or in St. Thomas's Summa theologica, in the thirteenth century, to say nothing of the writings of earlier religious thinkers. In defense of Engels's statement it might be urged, that the doctrine of predestination, however ancient its formulation, did not get its hold on the people before the commercial development of the sixteenth century, with its many bankruptcies, had prepared the popular mind for such a doctrine. It is true that predestinarianism did not become popular before the sixteenth century. But on the other hand it is not in commercial Venice and Genoa, but in countries very backward economically that the doctrine first came into vogue, *e. g.*, in Scotland and in New England. Here again Engels's interpretation fails to interpret. The spread of predestinarianism in the wake of the Protestant revolt seems to me easily comprehensible without any such forced explanations. The writings of the early churchmen, as we have seen, are full of predestinarianism. The mediæval church, however, could not possibly make a basic doctrine of it, for the simple reason that, if men and women were predestined to be saved or damned, then all the pardons and absolutions which the Church might sell were of very doubtful value. One of Germany's distinguished theologians, Johan Rucherath of Wesel, who was a predestinarian, drew

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Marxian socialism calls itself "scientific socialism" because of its economic interpretation of history. With the help of this method it claims to unveil to us the real story of the past; with the help of the same method it claims to reveal to us the future. Serious as are the difficulties which an analysis of the past at times presents, its data are certainly more tangible than the events of the future. Engels's story of the Protestant Reformation shows that his method does not automatically produce a scientific history of our past. Is it then reasonable to suppose that the same method insures infallibility when the future is concerned?

VLADIMIR G. SIMKHOVITCH.

(To be continued.)

precisely these conclusions. Such conclusions interfered with the business of the church, and he was compelled to recant in 1479. The leaders of the Reformation, as we know, had a profound contempt for "works" as they saw them practiced. It seemed unreasonable to Luther that salvation should depend upon the "works" which he had such abundant opportunity to observe, and we see him turning to salvation by faith. Calvin, similarly detesting the "works" of the Romanists, took another road of opposition—predestinarianism. The doctrine of salvation by faith and the doctrine of election alike emphasized the opposition of the reformers to the purely technical character of the "works" required by Rome. Brilliant are Dr. Bush's references to the practical reasons which led two such contrasting centuries as that of Augustine and Calvin to determinism. "If a large part of the system of ideas known as Augustinian was invented in the fifth century to prove the necessity to man of the official ministrations of the church, it was adapted in the sixteenth and seventeenth centuries to prove the futility of those ministrations. How should the sacraments play any part in a man's salvation if this is a matter decided by the direct election of God? How should some words spoken by a priest control the action of grace? For precisely opposite reasons to those which influenced Augustine, the Augustinian determinism became a dogma of the Reformation; in the one case determinism to prove the necessity of sacraments, in the other to prove the futility of sacraments." Wendell T. Bush, "Sub specie æternitatis," in *The Journal of Philosophy, Psychology and Scientific Methods*, vol. iv (1907), p. 660.

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PROTECTION AND THE FORMATION OF CAPITAL

TO an economist imbued with the doctrines of the classical school nothing seems more inexplicable and disheartening than the vitality of the "protectionist fallacy." That protectionism should dominate practical politics is of course not at all extraordinary. Well-organized, free-handed practical interests naturally prevail in politics over frugal, disinterested science. What is rightly disturbing to the free-trade theorist is the defection of the thousands of young men who, as college students, have been taught to weigh the unseen disadvantages of the restrictive policy against its apparent advantages. Why is it that after a few years of active business life the college free-trader becomes a practical protectionist?

Must we believe that this apostasy from sound doctrine is due to the fact that in business life the college alumnus finds that his practical interests are bound up with the protective system, and that he changes his theories accordingly? In some cases this is no doubt true. Nevertheless, I believe that as a rule the college-bred business man is quite able to distinguish between his own interest and that of the body politic, and quite frank enough to admit that these interests may at times conflict.

The true explanation of the phenomenon to which I have alluded is, I think, that active business men are guided by a theory of the effects of protection which is neither so definite nor so fatuous as the hypothetical theories which teachers of political economy expose to the ridicule of their students. What this theory is it would be difficult to ascertain directly, even from those business men who are willing to state their views formally and at length. It would be equally difficult to learn, from an ethical discourse by the average man, what the popular theory of right and wrong really is. If, however, we examine a series of popular ethical judgments, we are likely to find that they imply a tolerably sane and systematic theory of right and wrong. From the fact that the business man defends his pro-

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tectionist views with arguments that were exploded a century ago, we are not justified in assuming that no tenable theory underlies his attitude. Rather, we should note his judgments, and endeavor to deduce the theory implicate in them.

The modern protectionist will readily accept the following judgments as truly his own:

Protection should be accorded, as a right, only to branches of industry capable of rapid development. Rapidity of development of an industry under protection is *prima facie* evidence that the policy of protection is expedient. So long as rapid development continues, protection should not be withdrawn.

Protection of manufactures is in general far more promising than protection of agriculture.

Protection, when accorded, should be on a liberal scale. It should offer decidedly more than bare compensation for the disadvantages under which the domestic industry labors.

Given equal potentialities of development, an industry which has few natural disadvantages to overcome should be given the preference over an industry which labors under many disadvantages. But an industry with large potentialities of development, even if generous and long-continued duties are necessary for its maintenance, is to be preferred to an industry of small potentialities which is quickly rendered self-supporting. That an industry may never become wholly self-supporting—*i. e.*, able to maintain itself in the face of foreign competition—is not a sufficient reason for withholding protection from it.

It will be seen that the "infant industry" argument is implied in the foregoing judgments. This argument alone, however, would hardly justify the emphasis laid upon protection to manufactures, as contrasted with protection to agriculture. Further, the measure of protection that would be sufficient to make possible the introduction of a new industry would be regarded by the practical protectionist as far too meagre. Again, the "infant industry" argument can not serve as a defense of protection of industries that will never become self-supporting. In effect the working theory of the practical protectionist involves a more liberal measure of protection, a longer continuance and a broader

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extension of the policy than the "infant industry" argument could possibly justify.

How far the "home market" and the "diversification of industry" arguments enter into the business man's view I am not rash enough to attempt to determine. The former, however, was invented chiefly for the edification of producers of export agricultural products; the latter for that of the working class. The business man's theory more naturally connects itself with the "theory of productive powers"; and it is upon one feature of this somewhat vague theory that I intend to lay emphasis. The protective system is most frequently commended by business men on the ground that it has rendered possible the accumulation of vast amounts of capital; tariff revision is feared because it destroys capital. Herein, I think, lies the kernel of the theory of the practical protectionist. His view of the laws governing the formation and maintenance of the social capital are fundamentally different from those of the free-trade theorist. In the opinion of the latter the capital which is employed to equip a new industry, rendered possible through protection, is merely diverted from other branches of industry. In the creation of this capital protection plays no part. The practical protectionist, on the other hand, regards the capital employed by a protected industry as mainly a new creation—a net addition to the productive wealth of a nation. My purpose in writing this paper is to consider whether there is an element of truth in this view. If there is, it is obvious that many of the accepted views on protection will need revision.

I

That additions to the capital of a nation must come from its annual income may be accepted as self-evident.[1] That the income of a nation will, at a given time, attain its maximum under perfect freedom of trade is a proposition that admits only rare exceptions. Each nation possesses a number of

[1] Capital imported into a nation is, in a sense, an exception to this rule. For the purposes of the present paper it is not necessary to take account of such imported capital.

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opportunities of varying productiveness for the employment of its labor and capital. If, in thought, we arrange these opportunities in a series, according to their respective degrees of productiveness, we may safely assume that an expanding fund of labor and capital will occupy these opportunities in the order of their productiveness. Under perfect freedom from all governmental interference in industry, the poorest opportunity exploited at a given time will be superior to any opportunity left unexploited. Any unexploited opportunity may, it is true, be rendered profitable from the view-point of private enterprise through the grant of a bounty from the state or through an artificial enhancement in the price of goods resulting from the imposition of a protective duty. In either case a burden must be placed upon the incomes derived from the better natural opportunities in order to induce men to occupy themselves with the less favorable opportunities. Since men engaged in the industries which are thus in need of the public bounty encounter natural disadvantages, it follows that their net gain through the bounty must be less than the burden entailed upon other members of the nation. Such is the familiar argument that protection in any form necessarily diminishes the national income. Protectionist and free-trader must agree that in general the argument is irrefutable. There are rare cases in which protection may not have the immediate effect of reducing the national income, but no writer can dwell upon them without arousing the suspicion of disingenuousness.

Does it not, then, follow that the capacity of a nation to accumulate capital will be greater under free trade than under protection? In a sense it does. But does it follow that the accumulation of capital will actually be greater under free trade? This view is implied in most free-trade discussions; I have, however, been unable to find it anywhere so clearly expressed as in the following passage from Adam Smith:

> The industry of the society can augment only in proportion as its capital augments, and its capital can augment only in proportion to what can be gradually saved out of its revenue. But the immediate effect of every such regulation [a protective duty] is to diminish its

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revenue, and what diminishes its revenue is certainly not very likely to augment its capital faster than it would have augmented of its own accord, had both capital and industry been left to find out their natural employments.[1]

If all classes in society saved equal proportions of their incomes, it would follow of necessity that whatever tends to reduce the national income must reduce the annual addition to the fund of capital. If the various social-economic classes differed in respect to thrift, but were all adversely affected in the same degree by the adoption of a restrictive policy, it would follow with equal necessity that such a policy would retard accumulation. But in fact the disposition to accumulate capital varies widely in the different classes that compose a nation; and it is the essence of protection to alter the proportions in which the social income is distributed. At one time agriculture is burdened for the benefit of manufactures; at another time the reverse is true. At one time rents are raised through protection; at another time the business enterpriser is the chief beneficiary of the policy. We cannot, therefore, accept without further examination the view that protection and the consequent reduction of the social income must necessarily retard the accumulation of capital. Indeed, we can easily construct hypothetical cases in which the formation of capital would actually be stimulated by the very policy that reduces the aggregate social income. Whether such hypothetical cases are exceptions to be ignored or types to be dealt with by science is a question requiring candid consideration.

II

In an earlier article[2] in this review I endeavored to show that, apart from purely individual differences in thrift, the tendency to save is affected by general economic and social conditions that enable us to group the members of a given society into more or less distinct thrift classes.

[1] Wealth of Nations, bk. iv, ch. iii.

[2] "Influences affecting the Development of Thrift," POLITICAL SCIENCE QUARTERLY, vol. xxii, no. 1, pp. 224–244.

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Granted a surplus of income above mere physical needs, a man's economic situation prompts him to save in so far as it offers inducement for investment. His social situation prompts him to save in so far as the possession of capital is the readiest means of acquiring social esteem. Putting the same idea in negative terms, a man is not very likely to save if he knows of no investment that seems attractive to him; he is not very likely to save if the direct road to the esteem of his fellows lies through expenditures for consumption rather than through the acquisition of capital.

As I endeavored to show in the article cited, the most attractive form of investment, from a purely personal point of view, is the acquisition of tangible capital goods to be employed under one's own control. Such an investment gains additional attractiveness from the fact that it gives visible evidence of economic efficiency. Accordingly, those who are in a position to make such investments have the strongest incentive to save. These persons are the capitalist enterprisers who have not yet fully equipped their businesses with the capital goods that the existing state of technique requires. These enterprisers we may therefore place in our highest thrift class.

We may assign to a lower thrift class the men who live upon salaries or upon the returns from professional service. They have no ever-present means of investment; further, they are under the domination of fairly rigid standards of consumption. They must, however, make provision for disability or superannuation, since their standard of consumption is one which takes account of a long period of years. To a certain extent they are therefore forced to become capitalists.

In a yet lower class I should place those who derive their incomes from rents, interest on mortgages and bonds, dividends on stocks, *etc.*—the funded income class, to employ a favorite expression of the sociological economists. These also are in no peculiarly favorable situation to make new investments; they are likely to be subject to rigid standards of consumption, and, furthermore, they are under no compulsion to set apart a portion of their incomes for future needs. In the lowest class of all I place the great mass of workingmen, since they have the

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least favorable opportunity for investment and are subject to the most tyrannical standards of consumption, which moreover, lay chief emphasis upon the present.[1]

When an industry has reached the acme of its development, in relation to the existing state of technique, the position of the independent capitalist-enterpriser becomes assimilated to that of the recipient of funded income. True, some enterprisers will expand their business, encroaching upon that of less capable competitors. Some will save part of their incomes and invest in other lines of business, just as some will gradually surrender their capital to persons not directly engaged in the industry. But, as a class, the enterprisers in the industry will maintain their capitals intact, while rising standards of consumption will absorb the annual income.

Accordingly we are justified in drawing a distinction between the capitalist-enterprisers engaged in an industry which quickly attains its full development, and those engaged in an industry which is capable of practically unlimited development. The former quickly reach a point where they pass from the highest thrift class to a lower one; the latter may never reach such a point. A class of agricultural enterprisers, for example, may in two or three decades obtain the full complement of capital goods that the existing state of technique requires and permits; a class of manufacturing enterprisers may not reach that point in half a century. A change in agricultural technique may postpone the point of full equipment for another decade; changes in manufacturing technique are likely to postpone the point of full equipment to a far more remote period. Thus we arrive at the conclusion—which is amply borne out by practical experience—that the richest and most enduring source of new

[1] The large sums deposited to the credit of workingmen in the savings banks may at first sight seem to disprove my contention that the working classes are prevented by their economic and social position from saving any considerable part of their incomes. s, however, a well-known fact that the workmen who display the highest degree of thrift are the immigrants, who naturally find a margin between the American rate of pay and the standard of living that they brought with them. It can scarcely be doubted that the process of Americanization will gradually reduce this margin.

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capital is the "profit" (interest and profit) of the manufacturing capitalist-enterpriser.[1]

III

A practical tariff system can not bestow all its benefits upon a higher thrift class and impose all its burdens upon a lower one. A change in methods of transportation may expose to foreign competition an industry that has reached practically full development; and those who derive their incomes from that industry may have sufficient political influence to secure the enactment of laws for the protection of their vested interests. Thus protection has been invoked, in many of the countries of continental Europe, to check the inrush of cheap agricultural products from over sea. Such protection does little more than enable the landed aristocrat to maintain his accustomed scale of expenditures. Although it may preserve the peasant proprietor from a shrinkage of income, it does not place him in a position to accumulate much capital. Agricultural protection in Europe, then, does not bestow its benefits upon the highest thrift classes. In some cases protection may be employed to prolong the existence of forms of industry that have long since entered upon their decline. Thus protection in France, in the early part of the nineteenth century, served to postpone the final extinction of many forms of industry still in the handicraft stage. The benefits enjoyed by persons engaged in such forms of industry did not lead to any considerable accumulation of capital.

Nevertheless it can hardly be denied that the chief benefits of modern protectionism have been bestowed upon those engaged in capitalistic enterprise. In the latter half of the eighteenth century the chief beneficiaries of protection in England were the capitalist-manufacturers. Agricultural protection existed, indeed, but such protection had little effect upon the prices of agricultural products, as England was still an exporting coun-

[1] The profits of the merchant, under modern conditions, are an almost equally rich source of capital. There is of course nothing in manufacture as such to give it primacy in this respect. The economic and social influences affecting the merchant are analogous to those affecting the manufacturer. I have ignored the former, chiefly because his position, in regard to protection, is practically neutral.

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try. Only after 1815 did the corn laws perceptibly affect agricultural prices,[1] and restrictions upon the importation of meat and live animals were of still less significance. Protection to manufactures was not limited to import duties alone. The restrictions upon exportation of wool also served to divert income from the agricultural to the manufacturing classes. It is true that as late as 1750 the woolen industry was still, superficially, in the handicraft stage. Nevertheless, the essential character of the industry was capitalistic, and we can not be far from right in assuming that the advantages gained from the restrictions upon the importation of woolens and the exportation of raw wool fell chiefly to the merchant-manufacturer. The commercial treaty with Portugal, again, represented a burden upon the funded income class, and a benefit for the rising manufacturers. The Navigation Acts, furthermore, had the effect of diverting income in large measure from static branches of production to the rapidly developing business of commercial shipping.

After 1815, it is true, protection in England had the reverse effect. Manufacturing industries were developing beyond the national boundaries; protection to manufactures was therefore of little avail. Agriculture, on the other hand, had much to gain through protection. In so far as the high prices of corn failed to raise wages, the working classes bore the burden of sustaining rents. In so far as the high prices of food raised the level of wages, the business of manufacturing was taxed for the benefit of the landlord. In the former case, income was diverted from one low thrift class to another scarcely higher in the scale. In the latter case income was diverted from a higher thrift class to a lower one. It is significant that a system of protection having this effect was not long allowed to stand.

In the United States protection, down to the present day, has meant little but the diversion of income from all other classes in society to the capitalist manufacturer. Every capitalist manufacturer has indeed been forced to contribute to the prosperity of other capitalist manufacturers. The farmer and

[1] *Cf.* Nicholson, The History of the English Corn Laws, p. 47.

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the wage-earner, however, have alone been compelled to contribute without any immediate compensation. These classes alone have carried a net burden; the manufacturer alone has secured a net gain. Nowhere has this relation appeared more evident than in the case of producers of raw materials for export, forced to buy their supplies at home. It was natural that in ante-bellum days the slaveholder should feel that he was being taxed for the benefit of the Northern manufacturer. In recent years the relation has been obscured by the development of the home market. The situation, nevertheless, remains essentially the same.

In the case of the United States it is true that a rapidly developing agriculture has been taxed for the benefit of rapidly developing manufactures. Accordingly, there may be some question whether a lower thrift class has been forced to contribute to a higher one. Under free trade, nevertheless, agriculture in any particular community would quickly have attained to a state of full development, and thus would have ceased to give large incentive to thrift. When the slaveholder had his land fully equipped with slaves, he employed his surplus income in the purchase of consumer's goods. The conduct of the small farmer of the North was essentially similar. If, then, the burdens imposed upon agriculture retarded the formation of agricultural capital, such postponement of the point of full equipment did not, in the long run, seriously diminish the national accumulation. The impetus given to manufactures, which under modern conditions possess almost unlimited power of absorbing capital, must, of itself, have tended to accelerate accumulation.

Protection in Germany, down to the rise of the agrarian party, likewise favored the bourgeoisie. In France the peculiar customs of the agricultural population have placed it in the position of perhaps the highest thrift class. In that country agricultural protection has no doubt tended to increase accumulation. The high price of food doubtless contributes to the volume of *rentes* in French hands. In Italy, Russia, Japan, protection is to-day assisting in the creation of a class of capitalist manufacturers.

It is worth noting that in the long run protection in a demo-

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cratic state must favor the higher thrift classes at the expense of the lower. In every state protection is essentially a minority interest. The export industries can gain nothing from the policy; industries that supply a purely local demand also gain nothing. It is easy to see that these two groups of industries must outweigh, in importance, the industries that would suffer under foreign competition. The number of persons whose real incomes are diminished by protection will almost inevitably exceed the number of persons whose incomes are enlarged by it. Hence nothing but superior leadership in practical politics and superior organization can make protection possible in the long run. It is because he is keenly alive to every opportunity of gaining increase in profits through political influence and is always ready to invest capital in creating political sentiment favorable to himself that the capitalist-enterpriser prevails over the aloofness of the funded income class, the divided counsels of the agricultural class and the preoccupation of the wage-earners in problems directly affecting the labor contract. It is true that in Germany, France and Italy the agricultural interests have been accorded a measure of protection. Nevertheless, one may be rash enough to predict that before many decades the commercial policy of those countries will be dictated by the capitalist-enterprisers, the bourgeoisie, as in England and in the United States.

IV

If it is true that the general tendency of modern protectionism has been to divert income from a lower thrift class to a higher one, we are justified in saying that there is at least a presumption that protective duties have played some part in equipping modern society with the vast stock of capital goods which it now possesses. For proof of this thesis we must have recourse to an analysis of the effects of protection upon capital formation in concrete instances. We must show that protection enables a given industry to equip itself with capital goods without at the same time reducing in equal degree the capital equipment of other industries.

Let us suppose that in a country which formerly imported its silk, a heavy duty is levied upon such fabrics with the object of

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creating a silk-manufacturing industry at home. Men who had planned to establish themselves and their capitals in other lines of business are now induced to enter the silk industry. These men naturally avail themselves to a certain extent of the free capital already in existence in the form of banking capital; to a certain extent they draw to themselves a part of what we may call the natural increase of capital in the communities in which they live. In so far, then, we are dealing with a simple diversion of capital from one set of investments to another. The capital goods with which the new industry is equipped thus represent no net addition to the productive wealth of the country.

We are not, however, at liberty to assume that enough capital will be secured in this way to make possible the complete supplying of the domestic market with silk goods. A new industry is naturally speculative in its character; and the more conservative capitalist enterprisers are slow to enter it. The number of enterprisers who will take the risk of establishing silk mills will probably not be large; their credit, moreover, will probably be narrowly limited. In the nature of the case, the industry, even if it is apparently a success, will be undersupplied with capital. This means that capital will be more than ordinarily productive in the industry; it means further that the enterprisers as a class will be steadily endeavoring to secure more capital in order to expand their operations. Under the circumstances it is inevitable that a large proportion of the profits created by the industry will be reinvested in it. Here then we have what appears to be a net addition to the productive wealth of the country.

On the other hand, it must be admitted that the high price of silk goods, which is the true cause of the profits of the protected silk manufacturer, reduces the real income of those persons who consume silks. A fabric that cost one dollar under free trade now costs a dollar and a half. Since it is improbable that the consumers of silks will be able, through the use of cheaper grades or otherwise, to avoid paying a greater aggregate sum for silks under protection than under free trade, their power of purchasing other consumers' goods and their power to save are reduced.

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Some of the consumers of silk goods spend practically their entire incomes for consumers' goods. If these are compelled to pay higher prices for silks, the accumulative power of society is not in the least reduced. Some consumers of silks, while saving part of their incomes, have a fairly definite sum set apart for current expenses. If one item in their consumption exacts a larger sum than formerly, other items are pared down so that the aggregate consumption remains the same. In this case also the accumulative power of the community is not reduced. Finally there may be a class having rigid standards governing the quantities and qualities of goods consumed, but no such standards governing the absolute amount of money to be spent. If these persons have incomes that more than suffice to command all the commodities entering into the standard of consumption, there is a surplus which may be saved. So far as such persons are concerned a rise in the price of silks means a reduction in the surplus for accumulation. It is obvious, however, that if this class exists, it is a very unimportant one. It is composed of those who refrain from spending only when they cannot think of anything they would like to buy. Accordingly we may say that the indirect influence of the duty on silks in checking accumulation is practically negligible, while the direct influence of the duty in stimulating accumulation is of decided importance. Silk consumers represent a distinctly lower thrift class than silk manufacturers.

We arrive at practically the same results if we select, instead of a commodity entering chiefly into the consumption of the well-to-do, a commodity entering chiefly into the consumption of the wage-earners. Assuming, as we have a right to do, that wages are more than sufficient for bare physical needs, there is little chance that the duties on goods consumed by the wage-earners will be shifted to any other class. Now, a large proportion of the wage-earning class saves practically nothing, whether real wages are high or low. Standards of consumption tend constantly to rise and absorb any surplus income that may appear. A duty borne by this part of the wage-earning class places no check upon accumulation. Another part of the same class follows a definite policy of saving. They set apart a cer-

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tain amount each month or each year, perhaps in the form of insurance premiums, trade-union dues, instalments on houses, *etc.* Members of this class, when compelled to pay higher prices for some element in their consumption, buy less or poorer qualities of other things. So far as this class is concerned no check upon accumulation results from the duty. Finally, there is a class who save whatever they can after strictly necessary expenses have been met. In so far the indirect effect of the duty is to reduce the power of accumulation. In view of the frequent complaints of the lack of thrift of the wage-earner, we are justified in assuming that the last class is not a very important one, and that in the main the effect of the duty is to divert income from a lower thrift class to a higher one, and hence to give an impetus to the formation of capital. Whether the gain in national productive power is worth the cost is a question that naturally arises. It is, however, not pertinent to the present inquiry.

The case is somewhat more complicated when one of the higher thrift classes is burdened for the benefit of another. Barbed wire is a commodity which is used chiefly where agriculture is in a stage of rapid development. When an agricultural community becomes fully developed, the barbed wire fences are replaced by fences less unsightly and less dangerous. Accordingly we may say that a duty on barbed wire burdens one of the highest thrift classes—the independent farmer in a developing community. Under the circumstances the farmer saves whatever he possibly can, in order to improve his farm, and any increase in price of supplies represents a deduction from the sum that can be saved.

Yet the stage of rigid economy and rapid accumulation on the farm is, as has already been pointed out, a relatively brief one. We will put it at twenty years, under the most favorable circumstances—that is, when no burden of protective duties is imposed upon the farmer. With the burden of duties to bear, the farmer may need twenty-five years instead of twenty to reach the point where accumulation slackens. The contribution made to the national capital by an individual farmer is less under protection than under free trade for each year up to the

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twentieth; after the twentieth year, accumulation is greater under protection than it would have been under free trade. In a nation having every gradation of agricultural development in its various sections, we may safely assume that the net effect of the protective taxes upon agriculture is rather to limit consumption than to check accumulation.

One industry of indefinite developmental potentialities may be taxed for the benefit of another in the same class. Thus protection may be granted to a developing manufacturing industry which produces materials used by another developing manufacturing industry. In this case the second industry may enjoy exceptionally heavy duties, to compensate it for the burden which it bears. But it may well be that it can not raise its prices to as high a figure as the duty would permit without seriously reducing its sales. In this case a net burden is imposed upon it, and the effect must be to check accumulation. The industry which produces materials, on the other hand, gains a net benefit, which must tend to encourage accumulation. In general, such a duty must be regarded as neutral, as may also a duty burdening a low thrift class for the benefit of another low thrift class. We may dispense with a further analysis of the latter class of neutral duties, because, as has already been pointed out, they are not likely to play a very important rôle in practical commercial policy.

An objection that will naturally arise in connection with the argument in this section now demands attention. I have admitted that the income taken by protective duties from one class exceeds the net income derived from the duties by another class. Let us say that the burden upon silk consumers amounts to ten million dollars. All this sum can not be a net gain to the silk manufacturer. The reason he needed protection was that the bare cost of production at home exceeded cost of importation. Part of the ten million must be used to cover this excess of cost. If the duty were "scientific"—that is, if the duty merely placed the silk manufacturer on an equal footing with the importer—the whole ten million would be required to cover this excess of cost. There would be no fund in the hands of the manufacturer from which to accumulate new

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capital, while if the ten million had been left in the hands of the silk consumers some of it would have been saved.

All this is true. But one may safely challenge all the economists in the world to point to one instance of a "scientific" tariff. And in the nature of things there can be no such tariff. What manufacturers' association would conduct political campaigns, roll logs and otherwise exert itself for the mere privilege of being placed on an equality with the foreigner? What would be the object in establishing a new industry if it were to offer only ordinary profits—profits that might be secured from industries already existing? Practically, we may be sure that a large part of the ten million tax upon the silk consumers will be surplus revenue for the silk manufacturers, and we may also be quite sure that a large part of that surplus will be reinvested in the industry. And with the natural progress of technique in the industry the surplus for accumulation grows larger and larger.

It is true that if the protected industry operates under great natural disadvantages, as in the classic case of producing wine in Scotland, the burden upon the consumer will be so much greater than the net gain to the producer that, even if the former is extremely thriftless and the latter extremely saving, the net effect upon national accumulation will be unfavorable. But it is not the practice of enterprisers to demand, nor of statesmen to grant, protection for industries that labor under extraordinary disadvantages. Rather, the selection of industries for protection tends to be such that the greater part of the tribute exacted from the consumer is bestowed upon the producer in the form of profits, instead of being wasted in an insane struggle with refractory natural conditions.

V

When a protected industry has attained to a stage of development in which it practically supplies the domestic market, a process of concentration naturally takes place, if technical conditions give the larger establishment a decided advantage over the smaller. While this process of concentration is taking place, the capital of the more successful enterprisers in the in-

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dustry constantly augments. This increase in capital may represent, in part, only an absorption of capital formerly employed by enterprisers who have yielded up their independence. In some measure, too, it is offset by waste of capital fixed in the less successful establishments. For reasons that will later be given, this waste is not so formidable as it at first may seem, and we are justified in holding that the capital which is found for the extension of the operations of the better establishments is in the main a new creation, arising out of the profits that protection makes possible. This means that protection does not cease to encourage the formation of capital so long as the process of concentration continues.

From the fact that the larger establishment, in a given stage of the process, has an advantage over the smaller, men are easily led to believe that in the long run a single monopolistic enterprise must dominate an industry. There are reasons for believing that the greatest advantages from mere increase in size of establishments appear in the early stages of the process; that while a plant with equipment worth a million dollars has enormous advantages over a plant worth $100,000, an establishment with plant worth $10,000,000 possesses no such overwhelming advantage over its $1,000,000 competitor. If this is true, we may assume that the process of concentration will continue until an equilibrium of competing power among the various surviving establishments is attained. Each establishment then holds possession of a definite market; each establishment maintains its plant intact, but refrains from making any extensions. Some of those who derive their income from the industry may extend their individual holdings of the capital invested in it; some may invest in other industries. It is clear, however, that the industry itself no longer serves to stimulate thrift. Those deriving their incomes from it hold a position analogous to that of the recipient of funded income. If the industry still receives protection, such protection, in effect, diverts income from other classes in society to a class which no longer has especial incentive to save.

Under modern conditions, however, long before the process of concentration has created an equilibrium of competing

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power, and often even before the domestic market has been supplied, an artificial unity is created in the industry through combination. The formation of a monopolistic combination does not necessarily check at once the formation of capital. Indeed, the high profits arising partly from monopolistic manipulation of prices, partly from the economies of large-scale production, are likely to give a great impetus to the formation of capital. This new capital may be invested in an improved equipment for the monopolized industry, or it may find its way into other industries. Every student of American finance must recognize the importance of the additions to the fund of free capital arising from monopolistic profits. Nevertheless, when an industry is controlled by a monopoly it reaches the point of full equipment sooner than it would have done had no monopoly existed. Monopoly prices are high prices; monopoly supply is a limited supply. And to produce the smaller supply that will be taken at a high price a smaller investment is necessary. Furthermore, the income from monopoly profits, being tolerably constant through a long period of time, tends to fall into the class of funded incomes. Why should a man with a comfortable income from stock in a monopoly set aside part of it for the future? The monopoly will abide, and yield more liberal profits as society grows richer. It is obvious that standards of consumption can easily encroach upon monopoly incomes.[1]

An industry organized as a trust or a *Kartell* may not, however, content itself with the home market. While limiting output and maintaining prices at home, it may be reaching out to control foreign markets as well. In the domestic field its policy is controlled by the principles of monopoly; in the foreign field by the principles of competition. The high profits derived from the monopolistic prices paid by the domestic consumer afford a fund from which capital may be readily accumulated; the limitless field of the world market affords inviting opportunity for investment. The holder of stock in such an enterprise receives, along with his munificent dividends, an offer, on "insiders'" terms, of new stock issued to secure capital for the

[1] *Cf.* Clark, Essentials of Economic Theory, pp. 355 *et seq.*

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development of a promising branch of the export trade. There are many and just objections to the practice of selling goods at monopoly prices at home and at competitive prices abroad. Yet it must be obvious that a monopoly that adopts this practice, instead of resting content with the profits from the domestic market, may be a powerful engine for the creation of a national capital.

VI

There is, it must be admitted, an appearance of unreality in productive power that must be created and sustained by the social bounty. Will not the capital that comes into existence by virtue of a protective system melt away when once protection is removed? Or will the owners of that capital be able to transfer it to other uses when they can no longer control the commercial policy of the nation?

The problem involved is that of the persistence of capital. This is a problem of extraordinary complexity, which nevertheless is usually treated by economists as one of such simplicity that it needs no elucidation. For the present it is sufficient to suggest that no "reproductive power" in the material goods themselves will account for the persistence of capital, but that the true explanation of the phenomenon is to be sought in the persistence of purposes in the mind of the capitalist.

A man will make greater sacrifices to maintain intact a fund of wealth once acquired than he would have made to acquire that fund. In a class enjoying comfortable incomes from property it is the exceptional man who will add to his parent stock of wealth; it is also the exceptional man who will allow that stock to decay. If a man's funded income is impaired, he does not as a rule accept the loss passively, scaling down his capital fund in proportion to the shrinkage in his income. Rather, he makes an endeavor to restore his declining fortunes, sacrificing present comforts, if need be, to that end.

Let us suppose that an industry has reached the stage of development where it no longer offers inducement to accumulate capital, and that the duty which has sheltered its growth is to be removed. We will place the capital invested at $50,000,000, and will assume that the standards of consumption of the

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investors have risen to the point where they absorb practically the entire income. And, to add one more assumption, we will suppose that the duty is not unceremoniously stricken off the tariff list, but that it is gradually reduced, not disappearing altogether for, say, ten years. If the industry is one that can not exist without protection, those who have their capital invested in it are confronted with the necessity of transferring their capital to other fields, unless capital and income are to disappear at the end of the period of grace.

Some part of the capital equipment of the industry wears out each year, and the fund accumulated to replace it can be diverted to other fields. Possibly such salvage may amount to one-quarter of the capital; it can hardly be a larger proportion of the whole. If then investors in the industry are unwilling to be impoverished, they must reduce current expenditures and create a new capital from incomes that are, by hypothesis, declining. Some will of course fail to do this, but there can be little doubt that many will. Adding to such quasi-compulsory savings the amount of "salvage" described above, is it improbable that, say, $25,000,000 will be carried over into other industries? How much or how little is of course an indeterminate problem; that some capital will thus be rescued hardly admits a doubt.

It will be observed that I have chosen for my example the most difficult case of all—one in which no part of the industry could survive the removal of the duty. In the course of nature few such industries are admitted to the fold of protected industries. In most cases, perhaps, the removal of the duty would result merely in a moderate shrinkage of funded incomes. And if ample time for readjustment were given, any reduction in national capital would in great measure be obviated through the savings of those whose economic position was endangered.

VII

The foregoing argument may be summarized as follows:

The free-trade view that protection can not increase the wealth of a nation is tacitly based upon a theory of capital formation through an automatic process of accumulation of surplus income.

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This theory is radically false. Large accumulations of capital are, as a rule, made only when a surplus of income above established standards of consumption appears in connection with favorable opportunities for investment. This conjunction of favoring circumstances is found only in the developing industry. It is the nature of protection to give rise to industries that for a long time remain in a stage of rapid development. It is then in the nature of protection to give a stimulus to the formation of capital—that is, to create one of the essential elements in national productive power.[1] We can not then say, as did the classical free-traders, that protection merely changes the form in which productive power manifests itself. How large a part of the existing productive power of the world is due to protection it is of course impossible to say. But one should not be regarded as heretical if he ventures to express the opinion that had all modern states maintained the policy of absolute free trade, the vast capitals of modern industry would have been unknown.

The bearing of our study upon economic history is obvious. Has it also a bearing upon present-day problems? It is probable that in many lines of American industry the work of protection in creating a capital is practically complete. Quite possibly the natural accumulation of capital in this country is now sufficient to supply the legitimate demands of expanding industry. Indeed, it may well be that the compulsory saving that a reduction in duties would entail would now prove a richer source of new capital than the fund diverted from consumer to producer. But in such countries as Italy, Russia and Japan, which are as yet very inadequately supplied with capital, the policy of protection is likely to prove a very efficacious means of economic development. In every country the time naturally arrives when protection ceases to stimulate capital formation.

What is the test by which it can be determined whether the protective system shall be abandoned? According to the

[1] It is not maintained that protection is the only means of creating the favorable conjunction of circumstances described. An improvement in the technique of production or of transportation may exert a similar influence. *Cf.* the rôle assigned to "invention" by John Rae, Sociological Theory of Capital, pp. 151 *et seq.*

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academic neo-protectionists, duties should be abolished when the protected industries are in a position to meet foreign competition. According to the theory here put forth, the duties should not be removed until the protected industries cease to develop rapidly. Then the duty should be removed, whether the industry can meet foreign competition or not. A reasonable period of time for readjustment should, however, be given, in order that at least a part of the capital no longer required by these industries may be removed to other fields.

It may be said that the foregoing argument is animated by a capitalistic ideal, without scruple and without reserve. It appears to justify the burdening of those who live upon quasi-permanent and quasi-stationary incomes from property, and of those who live from the meager earnings of their daily labor—the cultured classes and the needy classes—for the benefit of those who are inspired by their economic situation with the ambition to save from profits in order to create capital that will yield further profits. It implies the sacrifice of present consuming power for the purpose of increasing future productive power, but it is the consuming power of one class that is sacrificed to the producing power of another class. All this is true. But one may honestly hold that a highly capitalistic state of society affords a higher level of social welfare than did the state of petty industry that preceded it. Even those who are most inclined to emphasize the evils of our capitalistic state admit that it is a necessary preparation for the better state which they claim will supersede it. If, then, rapid progress in the direction of a highly capitalized state involves costs, who shall say that the costs should not be incurred? The century-long debate on protection *versus* free trade has not, however, hinged upon questions of social justice, nor upon questions of higher values than national prosperity. Protectionist and free-trader have alike been inspired by capitalistic ideals. Each has placed as the highest good the material wealth of the nation. What I have tried to show is that in the main the policies advocated by the protectionist have been well designed to secure the object which he has had in view.

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THE EARLY ENGLISH COLONIAL MOVEMENT

II. *The economic theory of colonization*

IN addition to those settling in America, many Englishmen, who had no intention of leaving their homes, were keenly interested in the colonial movement. This large and heterogeneous body of men stimulated public opinion and was influential in securing the support of the Crown, without which the work could not have been undertaken. Many of these men had invested extensively in colonial enterprises, but, apart from their own personal interests, they had certain definite ideas as to the advantages that would accrue to their country from a policy of expansion. As has already been pointed out,[1] a number of them favored colonization as a remedy for over-population and social distress; but far more emphasis was laid on colonization as a means of quickening English commerce and of freeing England from what, according to the prevailing economic theories, was a dangerous dependence on rival nations.

English economic thought was dominated by mercantilistic doctrines, which laid an undue stress on the possession of the precious metals.[2] Gold and silver were looked upon as something apart and distinct from other commodities, as the very incarnation of wealth.[3] According to the prevailing economic creed, a country's welfare could be accurately gauged by its balance of trade. A favorable balance meant the importation

[1] POLITICAL SCIENCE QUARTERLY, vol. xxiii, pp. 83 *et seq.*

[2] "Since Moneys haue obtained the title of the sinewes of war, and the life of Commerce: I hope that the accumulating thereof may properly be called *The Praeheminent study of Princes*, when the same is procured by Trade: which is the sole peaceable instrument to inrich Kingdomes and Common-weales." Malynes, The Center of the Circle of Commerce (London, 1623), preface, pp. A 2, 3.

[3] There was naturally some opposition to this crude, although popular, view. In 1625, it was asked: "Who gave Gold or Silver the Monopoly of wealth, or made them the Almighties favorites?" Virginias Verger, in Purchas XIX, p. 232. See also Lescarbot, in Purchas XVIII, p. 232.

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of metals and consequently prosperity; an adverse one implied economic regression.[1]

From this viewpoint there could obviously be no greater national advantage than the discovery of rich mines within the body politic. There was absolutely no likelihood of such an event in England, but attention was directed to America in the hope of finding there, as Spain had done, valuable mines. At the outset this hope was ever present, and the clause in all the charters reserving to the Crown a certain proportion of such metals discovered in the colonies was by no means merely a formal one.[2] Before actual settlement had proven the contrary, it was believed that the precious metals abounded in America; it was even asserted that gold was more plentiful there than was copper in England.[3] The efforts of the early colonists in Virginia were directed with disastrous results toward finding such commodities,[4] and it took a number of years to convince them that this quest was futile. In 1609, Hakluyt still cherished the idea that Virginia would prove a treasure-house of gold, silver and precious stones.[5] Others recognized from the beginning that these hopes were illusory,[6] and as the settlement of America progressed, this idea inevitably became ever less prominent, until ultimately it disappeared.

The discovery of mines was not the only means of increasing

[1] "If the Natiue commodities exported doe waigh downe and exceed in value the forraine Commodities imported; it is a rule that neuer faile's, that then the Kingdom growe's rich, and prosper's in estate and stocke: because the ouerplus thereof must needs come in, in treasure." Misselden, The Circle of Commerce (London, 1623), p. 117.

[2] In 1584 Hakluyt said that unquestionably gold, silver, copper, pearls and precious stones had been found in America, and that such a share thereof as had been reserved to the Crown in Cabot's charter would amount to a considerable sum. Hakluyt, Discourse, p. 86. This portion usually amounted to one-fifth.

[3] Brown, Genesis I, p. 29.

[4] *Ibid.* I, pp. 105, 106.

[5] In "Epistle Dedicatorie" to "Virginia Richly Valued, by a Portugall gentleman of Eluas" (London, 1609; also in Force IV, no. 1). For similar opinions, see Brown, Genesis I, p. 268 and II, pp. 562 *et seq.*

[6] Already in 1583, Carleill expressed doubts as to the probability of obtaining these metals from America. Hakluyt VIII, p. 141. In his essay, "Of Plantations," Bacon called attention to the uncertainty of such hopes and to their demoralizing influence. Bacon, Works (ed. Spedding, Ellis and Heath), XII, p. 196.

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a country's stock of precious metals. The same end could be attained by the systematic regulation of foreign commerce, and, with this object in view, the statesmen of the day sought to discourage the importation of foreign merchandize and to facilitate English exports. But the economic development and natural resources of England were such that it was absolutely impossible to refrain from importing a considerable quantity of foreign products. At the time in question, England's import trade consisted of four distinct branches. In the first place, there was the Baltic trade with Sweden, Russia, Poland and Germany, whence came the naval stores necessary for her shipping and the potash used in England's basic industry, the woollen manufacture. From the standpoint of national security and of economic growth, this trade was all-important. A stoppage of these supplies, either through war or through their control by a rival, would prevent England from putting a fleet to sea and would also retard the development of her merchant marine. A second important branch of the English import trade was that with southern Europe, whence came, in large quantities, wine, silk, salt, sugar and dried fruits. Some of these commodities were essential, but others were in the nature of luxuries; and consequently this trade was deemed less important than that to the Far East, which supplied England with dyes, saltpeter and the spices that alone rendered the winter's stock of food palatable. These Eastern products, formerly controlled by Portugal, were now monopolized by the Dutch, who sold them to England at enhanced prices. Finally, although the English fishery was not an insignificant industry, a large proportion of the fish consumed was caught by foreigners and bought from them. To the statesmen and economists of the day, it was patent that it would be a distinct national advantage if England were not obliged to purchase these commodities from foreigners. Those which were imported from the Continent and from Asia could not be produced on English soil, and the Dutch were so firmly intrenched in the fisheries in the waters adjacent to England that it was a difficult task to compete with them. A remedy, however, could be found by direct commercial intercourse with India, by the development of an English

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fishing industry in America, and by the production of those commodities hitherto purchased from other European nations in English colonies.

This desire to free England from the necessity of purchasing from foreigners formed the underlying basis of English commercial and colonial expansion; it led directly to the formation of the East India Company and to the colonization of America. Furthermore, the advisability of such a movement was emphasized by the existing precarious condition of English commerce. In his famous *Discourse concerning Western Planting*, written in 1584, Hakluyt described in detail this state of affairs. All intercourse with the Barbary states was vigorously opposed by the Spaniards, who confiscated the English vessels and subjected their crews to the Inquisition, "chardginge them that they bringe armour, munition, and forbidden merchandise to strengthen the infidells, against these partes of Christendome."[1] Direct commercial relations with Spain itself were extremely dangerous, on account of the war with that country and Philip II's inveterate opposition to Protestantism.[2] Moreover, the comparatively new trade to Turkey was hazardous because of the Algerian pirates and the opposition of Venice; the French trade was declining owing to competition, to heavy taxes and to arbitrary government; while that with the Netherlands was injured by the prolonged struggle of the Dutch against Catholic Spain.[3] The trade with Germany and the Baltic countries was hampered by many factors. That to Germany was seriously interfered with by the withdrawal of the favors, which English merchants had hitherto enjoyed in that market, in retaliation for England's depriving the Hanse merchants of the privileges of the Steelyard in London.[4] Besides, Denmark not only imposed onerous charges on English vessels passing through the Sound,[5] but its control of this strategic waterway jeoparded English commercial interests in the Baltic. Finally, the new

[1] Hakluyt, Discourse, p. 13.

[2] *Ibid.* p. 14. *Cf.* pp. 17, 18. [3] *Ibid.* p. 14.

[4] *Cf.* Cunningham, English Industry II, pp. 224–227; Ehrenberg, Hamburg und England, pp. 131–158.

[5] Hakluyt, Discourse, pp. 15, 16.

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trade to Russia was already declining, owing to competition and to the fact the Muscovy Company no longer enjoyed its exemption from custom-duties in that country. This company, moreover, had to defray the expenses both of the Russian embassies to England and of those sent by England in return.[1]

During the three decades following Hakluyt's account, conditions did not improve, as is clearly shown in a conspicuously able pamphlet published in 1615, under the title of *The Trade's Increase*.[2] Its author looked with a gloomy eye upon English commerce, showing that the Russian trade had to a great extent been lost, while that to the Mediterranean had declined owing to the new trade route to India, the depredations of the pirates, and the competition of the Dutch—"the now Sea-herrs." Of the various remedies proposed for the relief of this precarious economic situation, that which found most favor was the adoption of a policy of colonial expansion.[3]

Thus the chief economic benefit that England expected to

[1] *Ibid.* p. 16. These statements are fully confirmed in Christopher Carleill's discourse of 1583. Therein attention was called to the fact that the Russian trade had cost the Muscovy Company a very large sum before it had become profitable, and that, at the time of writing, it had fallen "to very ticklish terms." This was due to many reasons: the fickleness of the Czar; Dutch competition; the cost of the embassies; the probability of a tribute being exacted in the Sound; the ill-will of the Easterlings. In addition, Carleill also pointed out how hazardous was the trade to Turkey, the Barbary states and Spain, and strongly recommended a diversion of English commercial interests to America. Hakluyt VIII, pp. 135–137.

[2] Harl. Misc. IV, p. 202. For England's trade to France, see Unwin, Industrial Organization, pp. 177, 178.

[3] As already noticed, Carleill used this argument. It was also the main idea in Hakluyt's discourse. The author of The Trade's Increase, however, suggested another remedy. He had some hopes that the Newfoundland fishery would develop satisfactorily, but he laid chief stress on the necessity of England wresting the control of the herring fishery from the Dutch. He wrote: "I cannot find any other worthy Place of foreign anchorage; for the Bermudas, we know not yet what they will do; and for Virginia, we know not well what to do with it." The former, he said, does not employ much shipping; and the latter is still in embryo, but it is "no Question, a worthy Enterprise, and of great Consequence, much above the Merchants Level and Reach." In view of the great expense, he thought that the London Company was to be commended for holding out so long, and he expressed the wish that all Englishmen would coöperate in the enterprise "to help to form and bring forth this Birth, not of an Infant, but of a Man; nay, of a People, of a Kingdom, wherein are many Kingdoms." Harl. Misc. IV, p. 209.

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derive from colonial expansion was freedom from dependence on other European rivals, by obtaining direct access to the Far East, by the growth of the English fishing industry, and by the acquisition of fresh sources of supply. In other words, from the viewpoint of the state, it was to a great extent a movement designed to divert the four great branches of England's import trade from foreign into national channels. The exploring activity of the Elizabethan age was preponderantly devoted to finding a northern passage to China, India and the Spice Islands of the Pacific, by means of which England might obtain the exotic products of the East directly from her own subjects, and not at enhanced prices from the Portuguese and Dutch. This specific object led in 1600 to the formation of the East India Company, which maintained regular commercial relations with India by means of the Cape route. But in addition, this objective was very prominent in the colonial movement proper. But little was known of the interior geography of the continent, and for a considerable period America was regarded by many as a half-way house to the East. It was hoped that the occupation of American territory would give England an exclusive and short route to the Pacific. In 1583 and 1584, Peckham,[1] Carleill[2] and Hakluyt[3] called attention to the probability of such a result. This idea was also prominent at the time of the actual settlement, and it even retained its vitality for a number of years thereafter. In 1609 it was distinctly mentioned as one of the objects of the Virginia enterprise,[4] and it also occupied the minds of those entrusted with founding a settlement in New England under the charter of 1606.[5] In 1610 a report to the Spanish Council of State concerning English colonization stated that the English expected to find a passage from Virginia to the South Sea.[6] As late as 1623 George Sandys spoke of the probability of such a discovery,[7] and in the following year the colo-

[1] Hakluyt VIII, p. 140. [2] *Ibid.* p. 112.

[3] Hakluyt, Discourse, pp. 108 *et seq.* [4] Nova Britannia, p. 22 (Force I, no. 6).

[5] Letter of George Popham, dated Sagadohoc, December 13, 1607. Brown, Genesis I, p. 146.

[6] *Ibid.* p. 397. A few years thereafter, William Strachey likewise mentioned this as one of the probable advantages arising from Virginia. *Ibid.* pp. 562 *et seq.*

[7] *Va. Mag. of Hist. and Biog.* VI, p. 243.

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nizing company officially mentioned this as one of the advantages to be derived from Virginia.[1]

As the work of actual settlement in America progressed, the futility of this hope became patent, and England was forced to place sole reliance on the growth of her trade with India by the Cape route. In this way the colonial development proper was gradually divorced from the movement of commercial expansion in the Orient. Similarly, at the outset, one of the factors that gave a great impetus to the colonial movement was the desire to develop the English fishing industry. In the days of Elizabeth, the arch-enemy was Spain, which threatened England's national existence. In the succeeding era, that of the first two Stuarts, there slowly developed a consciousness of the fact that the United Provinces threatened to cramp England's development. The Spanish antagonism was largely political and religious; the Dutch rivalry was economic. In no respect was Dutch commercial supremacy more conspicuous and more galling to English pride than in the herring fisheries carried on in the waters surrounding England. Just as it had been recognized in the Elizabethan age that the mines of America constituted Spain's chief bulwark, so statesmen of the following era perceived that Dutch prosperity was founded on the herring fisheries.[2]

Fish constituted one of the chief elements of England's diet, but a large proportion of the quantity consumed was bought from foreigners, largely from the Dutch. According to Sir George Peckham, who wrote in 1583, English fishermen imported only one-third of the necessary supply.[3] As the Dutch were so firmly intrenched in the European industry, the attention of England was turned toward America as a means of remedying so disadvantageous a situation. With this object in view, it was urged that Sir Humphrey Gilbert's enterprise should not be allowed to remain barren, but that a colony be planted in Newfoundland.[4] In 1584, Hakluyt advised that possession be taken of this territory, and that England levy taxes on all foreign vessels fishing

[1] Virginia Co. II, p. 527; London Co. II, p. 265.

[2] *Cf.* Cal. State Papers, Domestic, 1625–1649, p. 6.

[3] Hakluyt VIII, p. 110.

[4] *Ibid.* Sir George Peckham.

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there.[1] Similarly, as the regions to the south became better known, it was realized that here too could be developed an extensive fishery,[2] which might free England from her dependence on the Dutch. This desire to foster the English fisheries was an important underlying motive in the colonial movement. In the course of time it was seen, however, that the development of this English interest, both in Newfoundland and in New England, while necessitating an assertion of territorial sovereignty, was not contingent upon the settlement of large colonies in those countries, and that to some extent such communities interfered with the mother-country's direct interests in these industries. Hence gradually, as the settlement of America progressed, less stress was laid on this argument.

Just as it was anticipated that the colonial movement would free England from the necessity of purchasing Eastern products and fish from foreigners, so it was expected that America would furnish her with those commodities hitherto obtained from the Baltic and South European countries.[3] As this fundamental idea had important consequences both in shaping colonial policy and in directing the actual course of expansion, it will be advisable to examine its growth and development.

The colonial movement of the seventeenth and the commercial expansion of the preceding century were closely connected phenomena and were to a great extent based on the same motives. The attempts to find a northern passage to India were ultimately designed to free England from her dependence on the Portuguese.[4] Similarly, the main object of the large trading

[1] Hakluyt, Discourse, pp. 87, 88. Hakluyt said that 100 to 200 Spanish and Portuguese ships fished yearly at Newfoundland. *Ibid.* p. 48.

[2] *Cf.* Virginia Co. II, p. 527; London Co. II, p. 265.

[3] Thus Captain John Smith wrote: "Muscovia and Polonia doe yeerely receive many thousands for Pitch, Tarre, Sope, ashes, Rosen, Flax, Cordage, Sturgeon, Masts, Yards, Wainscot, Firres, Glasse, and such like: also Swethland for Iron and Copper. France in like manner for Wine, Canvas, and Salt; Spaine as much for Iron, Steele, Figs, Reasons, and Sackes. Italy with Silkes and Velvets consume our chief commodities. Holland maintaines itselfe by Fishing and Trading at our owne doores. . . . Then how much hath Virginia the prerogative of all those flourishing Kingdoms, for the benefit of our Land, when as within one hundred miles all those are to bee had, either readie provided by nature, or else to be prepared, were there but industrious men to labour." Purchas XVIII, pp. 437, 438.

[4] In his discourse on the north-west passage, written in 1576, Sir Humphrey Gilbert

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companies—with the exception naturally of the Merchant Adventurers—was to procure foreign products on more advantageous terms.[1] This close connection between the commercial and colonial movements is well illustrated in the discourse that Captain Christopher Carleill wrote in 1583, in order to persuade the Muscovy Company to direct its efforts toward America. He admitted that at the beginning this trade would necessarily be insignificant, but he prophesied that in a short time "there may be well expected from thence no lesse quantitie and diversitie of merchandise then is now had out of Dutchland, Italie, France, or Spain."[2] From the northern parts of America, Carleill said England would obtain the naval stores and other products of the Baltic countries and also fish;[3] from the southern and western parts could be procured wine, olives, salt and other commodities which England was accustomed to purchase from southern Europe.

What Carleill and his fellow-workers had in mind was not the establishment of new communities on American soil, but the erection of trading posts which would facilitate the purchase of these supplies from the native population.[4] As America be-

devoted an entire chapter to the consideration of "what commodities would ensue, this passage once discovered." He laid great emphasis on "the wonderfull commodities which this discovery may bring, especially to this realme of England," but he naturally did not ignore that there would also result an increased outlet for English commodities, especially for cloth. Hakluyt VII, pp. 185–189.

[1] Thus the fact "that divers Marchandize of the same Countries are very necessary and convenient for the use and defence of this our Realme of England" appears in the charter of 1585 to the Barbary Company as the chief motive that induced Elizabeth to grant the patent. Hakluyt VI, p. 420.

[2] *Ibid.* VIII, p. 140.

[3] Pitch, tar, hemp, masts, hides, furs, "without being in any sort beholding to a king of Denmarke, or other prince or state that shall be in such sort able to command our shippes at their pleasure, as those doe at this day, by meanes of their strait passages and strong shipping." *Ibid.* p. 139.

[4] In 1583 also, Sir George Peckham advocated a similar extensive system of colonization, maintaining that America could furnish England with furs, silk, fish, fruits, wood, gold, silver, copper, lead, tin, jewels, naval stores, hemp, flax, dyes, feathers, *etc.* *Ibid.* VIII, pp. 115, 116. Similarly in 1584, Richard Hakluyt said "that this western voyadge will yeelde unto us all the commodities of Europe, Affrica and Asia, as far as wee were wonte to travell, and supplye the wantes of all our decayed trades." Hakluyt, Discourse, p. 19. From the northern parts of America, he said, England could obtain masts, ship-timber, pitch, tar, resin, soap-ashes and hemp; from the

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came better known, this scheme of extensive colonization was seen to be impracticable, and it was recognized that Englishmen would have to settle permanently in America and to exploit its resources themselves. But the underlying economic idea remained unchanged; the colony was to be primarily a source of supply for the metropolis. In 1606, at about the time when the first Virginia charter was issued, a remarkably able paper was written in favor of the government aiding the work of colonization.[1] The author thereof starts with the assertion that all kingdoms are maintained by rent or traffic, especially by the latter; and that England depends on her shipping both for her trade and her safety. Her shipping, the argument continues, necessitates a supply of naval stores, which England cannot produce, and which she obtains "only by the favor of forraigne potency." Consequently the government should undertake the work of colonization, because, if England had colonies "able to furnish our wantes," our money and merchandize that now go to strangers would go to kinsmen, from whom in return we should receive what we need, and the ensuing trade would be in its nature more "home bread trafique than a forraigne exchange." In addition, this writer advances the typically mercantilistic view, that a state which either has sufficient for itself, or can export its natural products to pay for its imports, is most complete and wealthy. Obviously, this ideal status would be attained if the establishment of colonies in America should free England from the necessity of purchasing from her European rivals.[2]

southern parts, besides the advantages of the fishery, could be procured a miscellaneous lot of commodities, including the precious metals, sugar, silks, wines, fruits and salt. *Ibid.* pp. 37, 38. In addition, Hakluyt emphasized the importance to England of America's forests, for English timber was scarce. *Ibid.* p. 105. In Ralph Lane's letter to Hakluyt, dated Virginia, Sept. 3, 1585, it was stated "that what commodities soever Spaine, France, Italy, or the East partes doe yeeld unto us, in wines of all sortes, in oyles, in flaxe, in rosens, pitch, frankensence, corrans, sugers, and such like, these parts doe abound with the growth of them all." Hakluyt VIII, p. 319. *Cf.* also Thomas Heriot's account, *ibid.* pp. 348 *et seq.*

[1] Brown, Genesis I, pp. 36–39.

[2] This idea is prominent in a dispatch regarding the Virginia enterprise written in 1606 by the Spanish ambassador to his government. Therein he said: "They claim to be able to obtain from the country higher up than the Island of St. Helena, the

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The same argument was prominently used in all the writings in favor of the Virginia enterprise.[1] In 1610 the colonizing company laid special stress on the fact that Virginia could provide England with supplies otherwise obtainable only "at the courtesie of other Princes, under the burthen of great Customs, and heavy impositions," such as copper, iron, steel, ship-timber, masts, cordage and soap-ashes.[2] In another official statement of the company, likewise of the year 1610,[3] the natural resources of Virginia were described with enthusiasm and in great detail. Especial attention was called to its wealth of forests, from which could be obtained potash, pitch, tar, lumber and masts; to its iron deposits, its furs, wines, dyes and drugs. Furthermore, it was asserted that Virginia was adapted to the production of oranges, sugar, rice, as well as of the other products of southern Europe, and that consequently in future these "may be supplied to us in our owne countrey, and by our owne industry."[4] In

same commodities as from Spain, because it is under the same latitude, so as not to be in need of it;" that is, so as not to need the products of Spain. Brown, Genesis I, p. 89.

[1] Thus, in 1609, in his sermon in favor of Virginia, Richard Crakanthorpe said that the colony was so rich and fertile that "besides the sufficiency it naturally yields for itself, [it] may with best convenience supply some of the greatest wants and necessities of these Kingdoms." Brown, Genesis, I, p. 256. Daniel Price, the author of a similar sermon, "Saules Prohibition Staide," emphasized the same idea; after an extravagant enumeration of the commodities that might be expected from Virginia, he said the colony could furnish "whatsoever commodity England wanteth." *Ibid.* I, p. 312. In the same year also Hakluyt said that cotton, silk and dyeing materials could be obtained from Virginia. Virginia Richly Valued (London, 1609), Epistle Dedicatorie. The same line of thought is also prominent in Crashaw's sermon of 1610. Brown, Genesis I, p. 363. Similarly, about 1612, Strachey asserted that Virginia would prove a source of naval stores "so dearely obteyned from the easterly Countries." *Ibid.* II, pp. 562 *et seq.*

[2] "A True and Sincere declaration of the purpose and ends of the Plantation begun in Virginia," in Brown, Genesis, I, p. 340. Later in the same document, assurance is given that the colony would furnish England also with wine, pitch, dyes, silk-grass and pearls. *Ibid.* p. 349.

[3] "A True Declaration of the estate of the Colonie in Virginia," in Force III, no. 1. See also Purchas XIX, p. 71.

[4] *Ibid.*, p. 21. In general it was claimed that Virginia would free England from the necessity of purchasing from her European rivals. It was asserted that Virginia could furnish England with caviar and oil, hitherto obtained from Russia; with sturgeon, hitherto imported from the East countries; with soap-ashes and potashes, which were becoming scarce in Prussia; with masts, naval stores, flax and hemp, whose

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1620 also, the company claimed that instead of having to buy furs, cordage and caviar in Russia; masts, timber, pitch, tar, potash and hemp in Norway, Denmark, Poland and Germany; wine, fruit and salt in Spain and France; silk in Persia and Italy, England could obtain all these products from Virginia; and furthermore, that the colony could provide iron, dyes, drugs, cotton and sugar.[1]

The same basic idea was equally conspicuous in the arguments advanced in favor of the settlement of the territory north of Virginia. In 1622, the Council of New England called attention to the fact that this region could supply England with fish, furs, hemp, silk, naval stores, timber, and that, "in a word, there comes no commodity out of *France*, *Germany*, or the *Sound*, but may be had there, with reasonable labour and industry."[2] The pamphlets published in favor of the settlement of New England placed marked stress on its value as a new source of supply, especially of fish, timber and naval stores.[3] Especial emphasis was laid on the probability of New England

supply was endangered by the wars between Poland and Muscovy; with wines and fruits, hitherto imported from southern Europe. It was pointed out that this last trade was entirely at the mercy of hostile princes, "who for their proper utility deuise all courses to grinde our merchants, all pretences to confiscate their goods, and to draw from us al marrow of gaine by their inquisitiue inuentions." *Ibid.* pp. 22, 23. Similarly, the author of a pamphlet published in 1609 in support of the Virginia enterprise, wrote glowingly of the resources of the colony, of its forests, its mineral deposits, its rich soil. He claimed that Virginia could supply England with naval stores, timber, rice, sugar, dyes, drugs, wine, silk, potash, furs, fish, caviar, iron, copper, gold, silver, *etc.*—a heterogeneous list, which, if the prophecy had proven true, would have done away with the bulk of England's import trade from foreign countries. Nova Britannia, in Force I, no. 6, pp. 11–22. This argument was also fully developed in Virginia's Verger (1625), whose author enumerated the commodities that the colony could supply, such as timber, silk, wine, naval stores, *etc.*, for which "many thousands are yeerely expended to the profits of strangers." Consequently, he concluded: "Virginia inviteth our hopes . . . so that we shall save those treasures and costs that way expended, shall lesse depend on other Nations." Purchas XIX, pp. 245–251.

[1] "A Declaration of the State of the Colonie and Affaires in Virginia," in Force III, no. 5, pp. 1–4.

[2] A briefe Relation of the Discovery and Plantation of New England (London, 1622), p. 27; Baxter, Gorges I, p. 231.

[3] New Englands Plantation (London, 1630), pp. 7, 8, in Force I, no. 12; The Planters Plea (London, 1630), ch. iv, p. 15, in Force II, no. 3.

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producing these stores, which, according to a writer of the day, were such "usefull commodities, that if wee had them not from other Countries in Amity with England, our Navigation would decline. Then how great the commodity of it will be to our Nation, to have it of our owne, let any man judge."[1]

It is thus clearly apparent that the chief advantage anticipated from a policy of territorial expansion was greater economic independence from foreign nations through the development of new sources of supply under the English flag.[2] The predominance of this idea was a direct consequence of the prevailing economic theories and of the conditions existing in England's foreign trade. This view was also strengthened by other factors. The native population of America was too sparse and too poor to furnish a large market for English manufactures, and it was realized that an Englishman who settled in America would not, merely by this fact, increase his powers of consumption. Furthermore, the colonial movement was financed by individuals who naturally desired some return on their investment.[3] This

[1] Thomas Morton, New English Canaan (London, 1632), pp. 43, 44, in Force II, no. 5. *Cf.* also pp. 45, 46, 58, 59, 64. On December 10, 1633, Emanuel Downing wrote to Secretary Coke that, if the Massachusetts Bay Company were allowed to enjoy the rights under their patent, "then shall this kingdome clearly gaine by the fruits of theire labor^s^ that commodious trade of cordage, pitch and tarr." Coke MSS.

[2] In 1613, Robert Harcourt published a pamphlet in favor of founding a colony in Guiana, in which he stated that, in every foreign action, regard ought to be paid to three chief ends: the glory of God, the honor of the sovereign and the benefit and profit of the nation. He claimed that this enterprise would answer the last end, for "who can deny, but that our Country by this worthy Action may be inriched, through divers and sundry Commodities of great Worth, in those Parts daily found, and easily obtained?" A Relation of a Voyage to Guiana (London, 1613), in Harl. Misc. VI, p. 476. Purchas XVI, p. 402, omits this part of the pamphlet. That this idea was dominant is also evident from the writings of Gorges. When describing the benefits that foreign nations had derived from colonies, he emphasized the fact that valuable commodities had been obtained from them, and that it was their success which induced England to follow the lead of Spain and Portugal. Virginia, he thought, would prove useful, as it could produce flax, hemp, pitch and tar, if not sugar and cotton. New England likewise, according to Gorges, would prove advantageous in a number of ways, because of its rich soil, its mineral deposits and its furs. Gorges, A Briefe Narration, pp. 59, 60. Similarly, in a petition of 1641, the suitability of North America for colonization was demonstrated by the fact that it could produce silk, vines, cotton, tobacco, furs, timber, metals and naval stores. A Petition of W. C. exhibited to the High Court of Parliament, p. 6, in Force I, no. 13.

[3] Consequently the attention of those directing the settlements in America was

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they could obtain only by the development of America's natural resources. In this way theory and fact reinforced one another, and, as a result, the colony was looked upon mainly as a source of supply, and its value was gauged by its conformity with this ideal.[1]

The idea that the colony was to be a source of supply implied, however, inevitably that it was also to be a market for English produce. One conception was the natural corollary to the other, and consequently the value of colonies as an outlet for the mother country's manufactures was by no means ignored. At the outset of the movement, a few decades before Elizabeth's death, when but little was known of America's native population, it was expected that trade with the Indians would develop a considerable market for English manufactures.[2] Thus in 1583, Carleill maintained that the colonization of America would result in "a very liberall utterance of our English clothes" and of other manufactures into a country larger than all Europe.[3] Similarly, in the following year Richard Hakluyt, after calling attention to the rigors of the North American climate, said: "Nowe if her Majestie take these Westerne discoveries in hande, and plante there, yt is like that in shorte time wee shall vente as great a masse of clothe yn those partes as ever wee did in the Netherlandes, and in tyme moche more."[4]

primarily directed toward finding out what could be shipped thence to England. Thus, in 1607, George Popham wrote from Sagadahoc that the natives affirmed that the country produced nutmegs, mace, cinnamon, pitch, Brazil woods, cochineal, ambergris, besides many other valuable products. Brown, Genesis I, p. 146. See also Gorges's letter of December 1, 1607, in Baxter, Gorges III, pp. 154–157.

[1] It was also recognized that if the colonies produced more than England could consume, this surplus could be exported to foreign countries and would appear as a credit item in England's trade balance. Nova Britannia, p. 16, in Force I, no. 6; Virginia's Verger, in Purchas XIX, p. 251. Similarly it was perceived that a colony which was supplied with manufactures by England and produced commodities not wanted in the mother country, might still be advantageous by exporting these products to foreign markets, where they would pay for supplies needed by England. Thus, in 1638, Gorges wrote to Secretary Windebank that the exports of fish and lumber from the American colonies to Spain, Madeira and the Canaries paid for commodities imported from these places into England. Baxter, Gorges III, pp. 287–291.

[2] In 1583, Peckham advanced this argument. Hakluyt VIII, pp. 111–112.

[3] Hakluyt VIII, p. 140.

[4] Hakluyt, Discourse, p. 41. See also pp. 36–42.

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This argument[1] was less prominently used after the size and poverty of America's native population became better known. It was, however, never lost sight of,[2] and it was to some extent strengthened by the fact that England's European rivals were energetically striving to create national industries which would enable them to dispense with English manufactures.[3] The main emphasis was, however, not laid on this phase; that a new market would be opened for English manufactures was regarded merely as the natural sequel to the fact that the colony would be able to furnish England with commodities hitherto purchased from foreigners.[4]

It was also expected that the development of new sources of supply and of broader markets would result in a greater volume of trade, which in turn would imply an increase in England's shipping interests. As merchant ships were usually heavily armed and constituted an important part of the navy, it followed that colonization would increase England's sea power, upon which national security chiefly depended. This general line of reasoning was frequently used in the contemporary publications.[5] In 1584 Hakluyt complained that despite the Navigation Acts and the encouragement given to the fishery, the mercantile

[1] In a pamphlet published in 1609 in support of the Virginia enterprise, after an enumeration of the commodities obtainable there, it was stated: "But of all other things, that God hath denied that countrie, there is want of sheepe to make woollen cloth, and this want of cloth must alwaies bee supplied from England, whereby when the Colony is thorowly increased, and the *Indians* brought to our Ciuilitie (as they will in short time), it will cause a mighty vent of *English* clothes, a great benefit to our Nation, and raising againe of that auncient trade of clothing, so much decayed in England." Nova Britannia, p. 22, in Force I, no. 6.

[2] In 1610, it was advanced by the London Company. Force III, no. 1, p. 25.

[3] On account of these attempts, it was maintained in 1606 that England must "prepare a place fit for the vent of our wares." Brown, Genesis I, pp. 36–39.

[4] The same general argument was used in favor of colonization by Scotsmen. Thus, in 1624, Sir William Alexander wrote in connection with his proposed colony of New Scotland: "And where the *Scottish* Merchants before had no trade but by transporting Commodities that might haue beene imployed at home, and oftentimes monie, to bringe backe Wine from *France*, and Pitch, Tarre, and Timber from the Easter Seas. Now only by exporting of men, Corne, and Cattle, they may within a little time be able to furnish back in exchange these things before named." An Encouragement to Colonies (London, 1624), p. 39, in Slafter, Alexander, pp. 206, 207.

[5] See, *e. g.*, Gilbert's Discourse, in Hakluyt VII, p. 187.

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marine, "which is the strength of our realme," had decayed; he maintained that colonization would surely avert this evil, because the American voyages required large ships, and because Newfoundland could furnish England with naval stores.[1] Twenty-five years later, it was again asserted that England's shipping interest was declining, and that colonization was necessary to revive it.[2] In addition it was seen that, while colonization would result in increased sea power, this in turn implied greater ability to acquire and control colonies, for due recognition was given to the fact that a policy of expansion had to be based upon adequate naval strength.[3]

As a natural sequel it followed also that colonization would add to the general prosperity, and consequently that the national revenue would increase. This last factor was influential in gaining and retaining the support of the Crown. It was taken for granted that the dominions beyond the sea were to be outside the barriers of the English fiscal system, and that goods exported to the colonies, as well as those imported thence, would have to pay customs duties.[4]

The most potent and fundamental of the various economic reasons advanced in order to justify a policy of expansion was, however, the expectation of finding new sources of supply, in order to make England independent of foreign nations. At the very outset, there was a clearly defined tendency toward the creation of a self-sufficient commercial empire. It fol-

[1] Hakluyt, Discourse, pp. 89, 90. In 1583, Peckham used identically the same argument. Hakluyt VIII, p. 110. *Cf.* also Gorges, A Briefe Narration, p. 63; London Co. II, p. 265; Baxter, Gorges III, p. 293.

[2] It was pointed out that many English ships were being sold to foreigners, and that, for want of employment, English mariners were emigrating to foreign countries. Colonization, it was asserted, would remedy this condition and "make this little Northerne corner of the world, to be in short time the richest Store-house and staple for marchandize in all Europe." Nova Britannia, pp. 21, 22, in Force I, no. 6.

[3] Bacon said that Spain's "Greatness consisteth in their Treasure, their Treasure in their *Indies*, and their *Indies*, if it be well weighed, are indeed but an Accession to such as are Masters by Sea, so as this Axletree, whereupon their Greatness turneth, is soon cut in two, by any that shall be stronger than they by Sea." Considerations touching a War with *Spain*, in Harl. Misc. V, p. 91.

[4] In 1584, Hakluyt pointed out that, in addition to the customs duties, the Crown's revenue would be increased by the reservation of a portion of the precious metals, and by the imposition of a tax on all foreigners fishing at Newfoundland. Hakluyt, Discourse, pp. 86–88.

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lowed that the course of colonization was directed toward regions most likely to answer this end. On the one hand this led to the formation of the East India Company; on the other, it led to colonial experiments in the North and in South America, as well as in the West Indies. Of the four great branches of England's import trade, the most vital was that with the Baltic countries, whence came the indispensable naval stores.[1] Consequently, the earliest and most strenuous efforts were devoted toward developing colonies that would be able to compete in these products with northern Europe. Accordingly, during the reign of the first two Stuarts, attention was mainly directed toward the colonization of the temperate regions in America that could supply pitch, tar and hemp.[2] As the attempts of the early settlers to produce these commodities were unmitigated failures, there developed toward the end of this period a marked tendency in favor of tropical colonization, by means of which England could obtain an abundant supply of exotic products, not only, nor even chiefly, for home consumption, but for export, to pay for commodities that England was forced to purchase abroad.

Finally, as far as colonial policy was concerned, there followed an important consequence from this view of the utility of colonies. Inasmuch as colonies were chiefly valued as sources of supply, and as the state assumed grave responsibilities in sanctioning the movement, it would have been considered the height of folly to allow the colony to send its produce to any place but the metropolis. Consequently, very early in the history of the Empire, it became the established custom to confine the colony's exports to the mother country, for otherwise the chief object of the government in permitting the movement would have been nullified.

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[1] In 1641, Sir Thomas Roe said in Parliament that this trade was "the Root of all others, because the Materials, brought from those Parts . . . are fundamental, and of absolute Necessity." Harl. Misc. IV, p. 415. In the report to Charles I on Canada, dated November 24, 1630, special stress was laid on its capacity to supply hemp, tar, pitch, masts and ship-timber. Brit. Mus. Egerton MSS. 2395, folio 19.

[2] This tendency was reinforced by the fact that the best fishery was also in this region.

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THE SEPARATION OF CHURCH AND STATE IN FRANCE[1]

THE new relations of church and state in France are slowly adjusting themselves. Now that the smoke of the battle is beginning to clear away, it may be possible to survey the field, to review the incidents that led up to the fight and to explain objectively and perhaps impartially the present state of things. To make the survey intelligible, it is necessary to examine successively the following points: (1) What were the legal relations between church and state prior to the law of December, 1905? (2) What cause, direct or indirect, remote or immediate, brought about the divorce? (3) How was the law of separation prepared and carried through Parliament? (4) How were the relations of church and state adjusted by the law of December, 1905? (5) What were the reasons of the church's opposition to that law? (6) What was the situation created by the church's opposition? (7) How does the new law of January, 1907, deal with the difficulties? (8) What is the outlook, at the present day, for both church and state in France?

I. *Relations of church and state before 1905*

The régime which obtained until 1905 was established by the

[1] The principal authorities consulted in the preparation of this article are as follows: *Journal Officiel de la République Française*, which gives full reports of the proceedings of the Chamber and of the Senate, 1905–1907; Aristide Briand, La Séparation des Églises et de l'État (Paris, Éd. Cornély, 1905) and La Séparation (Paris, E. Fasquelle, 1908), the first of these publications being the report of the Committee on Separation, the second a collection of speeches delivered in the Chamber of Deputies by M. Briand; E. Combes, Une deuxième campagne laïque (Paris, Société nouvelle de librairie et d'édition, 1905), which contains M. Combes's addresses on the quarrel with the Vatican; and Eugène Réveillaud, La Séparation des Églises et de l'État (Paris, Librairie Fischbacher, 1907). M. Réveillaud is the deputy on whose initiative the Chamber decided to appoint a committee on the separation of Church and State (October 20, 1902); he is a prominent Protestant layman, of Catholic origin; and his book contains many of his speeches and a running commentary on the law.

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law of April 8, 1802 (18 Germinal, an X). This law may be considered as composed of two parts: (1) the Concordat, a treaty concluded on July 15, 1801, between the first consul, Bonaparte, and Pius VII; (2) the Organic Articles regulating both the relations of the church with the state and the general internal policy of the church. While the Concordat was a treaty and the Organic Articles a law, both became laws of the land by the act of April, 1802. On the other hand, while the Concordat was a contract accepted by both parties and the Organic Articles a law imposed upon the clergy without having been officially ratified or even accepted by the church, in fact both were equally binding and were actually enforced until 1905.

At the same time other organic articles had been adopted, regulating the worship of the Protestants. Later, the decrees of March 17 and December 11, 1808, with supplementary provisions promulgated in 1831, organized the Jewish confession. Thus these laws and decrees provided for the practice, under state supervision and with state support, of three different religions, the Roman Catholic, the Protestant (Calvinistic and Lutheran) and the Jewish. The Protestant and Jewish denominations were no longer half tolerated, half persecuted sects whose legal status and very existence depended on the caprices of the government. They were, like the Roman Catholic church itself, part of the administrative fabric of the country. As to the Catholic church it was no longer, as under the ancient régime, a privileged organization with special endowments, special assemblies, special courts, exempted from the common burden of taxation and even entitled to levy taxes on the nation. Bonaparte made the Catholic clergy one of the subdivisions of his governmental staff, like the post-office employees and the custom officials in the United States to-day.

This régime had advantages which the clergy fully appreciated. It gave them the standing and prestige of officials, holding a definite place in the governmental hierarchy. It gave them the security that comes from regular salaries, which, though meager, were nevertheless acceptable, ranging from $200 for country priests to $3000 for archbishops. The state put at the disposal of the clergy the churches, the residences

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for archbishops, bishops and priests, as well as the seminaries. These had become the property of the nation by the law of November, 1789, and have ever since been considered such by all French governments and by all the courts in the land.

These privileges and temporal advantages were balanced by some disadvantages. The state controlled all the appointments of the church. The archbishops and bishops were appointed by the government with the sanction of the pope. The bishops in turn appointed the priests, but only after consultation with the government.[1] Moreover the Organic Articles subjected the clergy to vexatious supervision and to humiliating regulations. Even the costume of the priests, the stockings of the bishops, the titles given to the various dignitaries, were fixed by the law, although these regulations were afterwards not strictly observed. Indeed the cassock worn by the priests to-day and the title of *monseigneur* assumed by the bishops were illegal, according to the letter of the law, which provided for an *habit noir à la française* and the title of *monsieur* or *citoyen*. The relations between the Holy See and the bishops and those of the bishops among themselves—the whole interior administration of the church—were strictly regulated by the government. No papal bull could be published in France, no assembly of bishops could be held, no new holidays established, no new church opened, no parish created, no new liturgy written, without the consent of the government.

This church, which was once half mistress of the realm, which, a generation earlier, could force the state to put anyone to death for an offence against the faith and make nonconformists and free-thinkers tremble before her, had now sunk into a pensioner of the state, a branch of the civil service, an *instrumentum regni*, or, as Bignon, Bonaparte's special interpreter expressed it, "a holy gendarmerie."[2] She was employed to keep order and discipline among the masses, to teach respect for the powers that be and to instil into the hearts of little children the

[1] Article 10 of the Concordat reads: "Bishops will appoint to parishes. Their choice can fall only on persons accepted by the government."

[2] Quoted by Taine, The Modern Régime, book v, p. 1.

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same reverence for the emperor and his decrees as the catechism requires for God and his commands.

This régime lasted for a century, with a fortune that varied according to the character of the government. When the government was conservative, royal or imperial, the church had its own way, save for a few misunderstandings sure to occur between rival powers. All despotic governments, that of Napoleon III as well as that of Charles X, were conscious that they needed the support and good-will of this "gendarmerie." In 1877, however, when the government came under the control of the more radical republicans, difficulties arose. The republicans of all shades of opinions, divided on everything else, were unanimous on two points: (1) that the modern state should eliminate all traces of ecclesiastical influence from the machinery of government; (2) that the Roman Catholic church should be severely checked and repressed in all her efforts to influence the people in political affairs and to teach them doctrines inimical to the republic.

The watchword of this policy, "clericalism is the enemy," was given by Gambetta.[1] Jules Ferry as prime minister embodied its most essential features in legislation. A consistent and sweeping campaign of secularization was carried on between 1881 and 1903: schools were made undenominational, public prayers were abolished, participation of the army in religious processions was forbidden, divorce was legalized, hospitals were secularized, the exemptions of ecclesiastics from military service were suppressed, religious communities and sectarian schools were partly abolished.

The clergy, high and low, smarted under these blows. They forgot that this policy was only one of reprisals for their own attitude and in particular for their hostility to the republic. Through pastoral letters read from all the pulpits, and in the Sunday sermons, they attacked this "wicked policy"; they branded as unjust, unchristian, ungodly, the laws of the state; they threw themselves once more into the political arena, took

[1] This famous phrase was uttered at the end of a speech delivered May 6, 1877, before the Chamber of Deputies, in an interpellation on the "ultramontane intrigues." Hanotaux, Contemporary France, III, p. 602.

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an active share in the elections, supported the opponents of the government and allied themselves with all the movements intended to overthrow the government. In the conspiracy of May 16, 1877, the Boulangist agitation of 1887–89, the Dreyfus craze of 1898–99, the connivance of the clergy is evident.

Of course this attitude of a subsidized clergy was the cause of incessant quarrels. The church could not help protesting against what she considered unjust laws; the state on the other hand was bound to repress, with such disciplinary weapons as it possessed, the acts of indiscipline and rebellion that bishops and parish priests were daily committing.

Thus the last thirty years of the Concordat régime were years of continuous strife. This tempestuous household with its daily bickerings, complaints and recriminations, its ineradicable incompatibility of temper, seemed ready for a divorce. How was this divorce brought about?

II. *Direct and indirect causes of the separation*

A question that might pertinently be asked is: Why did the divorce not come sooner?

From the standpoint of the church it is obvious that her grievances, if she pleased to complain of them, were many and well founded. This dependence on a state that was no longer friendly and respectful, as it used to be, but distrustful and hostile, was in itself humiliating. Imagine bishops chosen and appointed by ministers of worship who, if not atheists, were at best agnostics, and whose past record was often one of aggressive hostility to the church. And again this miserly stipend of eight million dollars, voted every year begrudgingly, carried with it a degree of governmental supervision which made it impossible for the church to manage its own affairs and to direct its own policy. The bishops were as closely controlled by their minister as the prefects by theirs. The assemblies of bishops held in 1906 and 1907 are novelties which were never dreamed of under the régime of the Concordat. Even during the Second Empire papal bulls had to be submitted to the ratification of the state before reaching the people, and in some cases, *e. g.* in that of the Syllabus of 1864, their publica-

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tion was forbidden. Moreover, this régime of three subsidized denominations on equal footing, this "advertised, practical polygamy," as Taine called it,[1] this patronage in common more insulting than abandonment for a church that has the claims of the Church of Rome, must have been odious to all orthodox Catholics.

To the republicans, on the other hand, both as a matter of principle and a matter of expediency, the separation of church and state could not but seem the only natural solution of the difficulties between the two rival powers. In fact it was a part of the confession of faith of most progressive statesmen for the last hundred years. They all thought, in the words of Madison, written in 1784, "that pride and insolence in the clergy, ignorance and servility in the laity, in both superstition, bigotry and persecution had always followed church establishment."[2] And with Jefferson, writing in 1802 to the Danbury Baptist Association, they believed that religion is "a matter that lies between a man and his God, that he owes account to none other for his faith or his worship." All the great French liberals of the last century, among them some Catholics, held similar views. Their ideal was expressed in 1861 by the Piedmontese statesman, Cavour, in the famous formula: "A free church in a free state." Roman Catholics like Lamennais, Lacordaire and Montalembert, liberals like Lamartine, Laboulaye, Jules Simon and Edmond de Pressensé, progressist republicans like Gambetta and Jules Ferry, were for a time united in their hostility to that archaic régime. By common consent they considered it unjust, since it asked people without religious needs to support by their taxes a religion that they did not accept; contrary to the universally accepted principle of freedom of conscience, since it recognized some religions and not others; contrary to the principle of equality before the law, since it gave to members of some clergies a privileged treatment that was refused to other citizens.

Nevertheless, in spite of all the arguments that came from both

[1] Taine, The Modern Régime, book v, ch. ii, p. 53.

[2] Memorial and Remonstrance to the General Assembly of Virginia. Report of American Historical Association, 1901.

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sides and seemed to militate against a régime that was no more logical than it was satisfactory, neither the Catholic party nor the republican party was willing to face that rupture which their mutual advantage seemed to require. The church was opposed to the denunciation of the Concordat because she enjoyed her golden servitude, with its regular stipend, state palaces, official recognition and public honors. The republican statesmen, even those of the anti-clerical school, when they were in control of the government, had two strong reasons of expediency for opposing the reform which they had advocated when they were in the opposition. In the first place they feared that the country, especially in the rural districts, was not ready for a reform so sweeping and a change so radical; in the second place they feared that freedom from state control would give the church a power that she would immediately use against the republic. Such was the opinion of Gambetta, Paul Bert and Jules Ferry.[1] Waldeck-Rousseau, a few months before he died, had written the outline of a speech which he did not deliver, pointing out the inadvisability of separation.[2] M. Combes himself came only slowly, after considerable hesitation and various public statements in favor of the maintenance of the Concordat, to the conclusion that church and state must sever their relations, since, as he claimed, the church took all the advantages and accepted none of the obligations of the compact of 1801.

Thus it was that the abrogation of the Concordat, while conceded to be logical, fair and in accordance with the whole policy

[1] Paul Bert, a well-known French physiologist and agnostic, minister of public instruction in the Gambetta cabinet, expressed his views on the subject in a famous report written in 1883. While absolutely in sympathy with the doctrines and hopes of those who advocated immediate separation, he stated nevertheless: "The consequences [of separation] would be, within thirty years, the control of the Catholic church over France. . . . Yes, the church deprived of state appropriation, driven from her parsonages and her churches but left entirely free, would soon recover a wealth which she absolutely lacks to-day and gain a political influence which she is losing more and more."

[2] In this posthumous speech Waldeck-Rousseau quotes the opinion of Paul Bert and describes the régime of a free church in a free state as "a Catholic anarchy in a powerless state." Further on he states: "If there are questions of which one can say that they are not yet mature, this is one of them." "Notes de Waldeck-Rousseau," *Revue Politique et Parlementaire*, October, 1906.

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of the Third Republic, was at the election of 1900 inscribed on the platforms of only 180 deputies. Between 1887 and 1902 eight votes were taken in the Chamber of Deputies on the principle of separation. The highest vote in favor of separation was 191 out of nearly 600 deputies, in 1890. The lowest figure was 152, in 1896, under the ministry of M. Bourgeois.[1]

It was, as usual, not the general causes but secondary and seemingly trivial incidents that gave the final and decisive impulse to separation. Those incidents were the visit of President Loubet to Rome and the quarrel of the French government and the Holy See over two bishops.

In April, 1904, President Loubet went to Rome to return the visit that King Victor Emmanuel had paid him the preceding October. He did not call at the Vatican. Thereupon, on April 28, the pope sent a protest to all the Catholic powers. Pius X explained that the heads of Catholic nations owe especial deference to the supreme pastor of their church. That deference, shown until then by all monarchs, seemed to him even more binding on the first magistrate of the French republic, inasmuch as France had traditional relations with the Holy See and enjoyed special privileges, such as a large representation in the sacred college of cardinals and the protectorate of Catholic interests in the Orient. In view of these facts, recited at length, the pope deemed it "a grave offence to the sovereign pontiff" that the French President should have come to Rome to render homage to him (*i. e.* the king of Italy) who holds unrightfully the pope's civil sovereignty and interferes with his freedom and independence. And he went on to say, in a sentence that was omitted from the document sent to France, that "if, in spite of that, the papal nuncio had remained in Paris, it was due to to very serious reasons of an altogether special order and nature."

This whole protest was considered by all parties, except the ultramontane, as an unwarranted interference in the foreign relations of the republic. On May 6 the minister of foreign affairs instructed the ambassador to the Vatican to state to the

[1] *Revue Politique et Parlementaire*, October, 1906.

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Holy See that he could not accept the note of April 28. And when, on May 17, thanks to a communication made to *L'Humanité*, M. Jaurès' newspaper, the omitted sentence with its implied threat became known, the indignation of the official world knew no bounds. Receiving no satisfactory answer from the cardinal secretary of state as to the authenticity of the text, the government recalled its ambassador on May 21. In the Chamber the attitude of the government was approved by an overwhelming majority, including M. Ribot with the moderate party, and on May 27, 1906, a motion of confidence was carried by 427 votes against 95.

The second incident arose out of the attitude of the Holy See towards two French bishops—the bishop of Dijon, M. Le Nordez, and the bishop of Laval, M. Geay—who had incurred the animosity of a certain number of people of their dioceses. Complaints against both had been made at Rome; mainly, it appears,[1] because they were friendly to the republican government. The bishop of Laval was requested by Cardinal Vannutelli of the Holy Office to resign within a month, and the bishop of Dijon was directed to cease all ordinations in his diocese. M. Combes and M. Delcassé protested against what they considered a violation of the Concordat. Bishops could be appointed only by the state, and the Holy See had no right to demand from them a resignation, total or partial, in which the state had no voice; nor had the Holy See the right to summon bishops to Rome under threat of penalty. Correspondence between Foreign Minister Delcassé and Cardinal Merry del Val, energetic on the part of the former, conciliatory on the part of the latter, began in May, 1904, and ended in July, 1904, with a telegram from Paris which stated that, in view of the fact "that the Holy See maintained the acts accomplished without the knowledge of the power with which it signed the Concordat, the government of the republic decided to put an end to official relations which, through the Holy See's fault, were without utility." On the 30th of July the diplomatic representatives

[1] It is known, however, that other charges were made touching the personal character of these bishops. See W. F. Lonergan, Forty Years of Paris, p. 305, and E. Combes, Une deuxième campagne laïque, p. 29.

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of France to the Vatican were definitively recalled, and the papal nuncio, Mgr. Lorenzelli, was informed that his mission to France was henceforth without object.

These two incidents, especially the latter, which through the vacillating attitude of the two bishops resulted in absurd complications, satisfied the government and the Chamber that the time had come to consummate the rupture that had so long been threatening. M. Combes, who had found it difficult after the quarrel with the Vatican over the visit to Rome to restrain the Chamber from voting on May 27 a motion favorable to separation, now took the initiative. On September 5 he delivered at Auxerre an address in which he committed the government for the first time to the new policy.[1] This policy he reaffirmed before the Chamber October 22; and the attitude[2] of the government was approved by a vote of 318 against 230. On November 10 M. Combes presented a bill which was thought by many to be rather drastic.

But it was not given to the fiery old anti-clerical statesman to embody in legislation his conception of the new relations that were to exist between church and state. In the first weeks of 1905 the Combes ministry fell and was replaced, January 24, by that of M. Rouvier. One of the first acts of the Chamber was to vote a new motion, in which the cabinet was urged to push the separation to a satisfactory conclusion. This motion, with a preamble reading: "Whereas the attitude of the Vatican has rendered necessary the separation of church and state, and whereas the government has the confidence of the house to carry it through . . . " was adopted on February 10, 1905, by 386 votes against 111.

[1] "The successive violations by the Papacy and the bishops of the stipulations of the Concordat, which, however, are as binding on them as on the French government —direct correspondence between the nuncio and the bishops, canonical investiture systematically refused to the candidates of the government, constant meddling in our internal affairs—have led me to believe that time has come to have recourse to divorce." Address at Auxerre, September 5, 1904.

[2] *Cf.* Une deuxième campagne laïque, p. 319.

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III. *The preparation of the law and its discussion in Parliament*

This vote of the Chamber was not a sudden and unexpected move of the majority, nor was it to remain, like so many other votes, an empty demonstration. There existed at that moment in the Chamber a committee which had been engaged for nearly two years in preparing a bill for the separation of church and state. This committee, elected on June 11, 1903, before the conflict with the Vatican had assumed an acute character, had worked faithfully to elaborate a comprehensive measure, dealing with every phase of the problem. It had examined various other bills, eight in number, drafted by individual members of the Chamber, as well as the bill presented on November 10, 1904, by M. Combes. To these was added, on February 9, a bill presented by the incoming Rouvier cabinet. The new minister of worship, M. Bienvenu Martin, thought it advisable not to insist upon the terms of this latest government bill, but to collaborate with the committee and to present and defend before the Chamber the text which should result from their common deliberations.

The committee on separation of church and state finished its labors on March 4, 1905. It had worked under great difficulties and against odds that seemed, at first, well nigh too heavy. It was composed of 33 members, representing with approximate equality widely divergent tendencies. The first vote stood only 17 to 16 in favor of the principle of separation.

Two men in this committee played a prominent part throughout the whole debate. The first was the chairman, M. Ferdinand Buisson, a well-known professor of philosophy at the University of Paris. Born in 1841, M. Buisson entered the political career late in life, in 1902. From 1879 to 1896 he had been the superintendent of the whole primary educational system of France (*directeur de l'enseignement primaire*), and as such he was the right hand of Jules Ferry and Goblet in the great reform which, between 1881 and 1886, established in France universal, compulsory and undenominational education. As an author his main work is a doctor's dissertation of voluminous proportions on Sebastien Castellion, who was one of the first free-thinkers and apostles of toleration in the per-

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iod of the Reformation. M. Buisson is by birth a Protestant; in his religious opinions, an agnostic; in politics, a radical. At the Sorbonne his subject was the science of education. In the Chamber of Deputies, thanks to his long services to the cause of democracy, to his earnestness, scholarship and experience in all educational matters, he soon acquired great authority.

At M. Buisson's side appeared, as provisional and later as permanent *rapporteur* or spokesman of the committee, a man who, although well known in political circles, was to win his spurs in this long fight as one of the most gifted speakers and most skilful statesmen in Parliament—M. Aristide Briand. Like M. Buisson, M. Briand entered Parliament only in 1902. Born in 1862, a lawyer and a journalist, he was generally recognized as one of the most brilliant propagandists of the socialist party. The general public however knew little about him. In Parliament his extreme opinions were gradually tempered, or at least their expression was moderated, a change which showed once more that a socialist who has the ambition of becoming a statesman will learn the indispensable art of compromise. In the sittings of the committee on separation as well as during the debates before the Chamber, M. Briand astonished everybody by his spirit of conciliation, the moderation of his attitude, his willingness to see both sides of every question. If his "opportunism" disappointed some of the more violent of his friends, on the other hand it came as a pleasant surprise to the less radical of his republican colleagues. In addition to his liberal and conciliatory spirit, M. Briand displayed an oratorical skill, a versatility of dialectics, a persuasive charm and, at times, a fervid eloquence that kept the house under his spell throughout the contest. By common consent there is something in his voice and in his manner that captures his audience, winning their confidence as well as their admiration. M. Clemenceau, before he had become a minister, wrote in his newspaper, apropos of a discussion in which he and M. Briand had taken opposite sides, a short sketch of his future colleague that is not without interest at the present time. "Never did any lawyer do better with a bad case. Every weakness . . . became an element of strength, thanks to his illusive art, his oratory, his gestures . . . If I am

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ever to come before the courts I want M. Briand to defend me."[1] It required, indeed, not merely a clever debater and a powerful orator, but also a clear legal mind, trained to all the technicalities of law and of its interpretation, to guide the house through the maze of so complicated a text.

In the Chamber of Deputies the discussion of the measure began March 21 and ended July 3, 1905. In the Senate the discussion occupied the first weeks of the winter session, November 9 to December 6. The bill was carried in that house on December 6, and promulgated on December 9. The debates in both houses were thorough, exhaustive and, in many respects, fertile of good results. Regarded merely as a display of oratory, no debate, for many years, has been so brilliant. Besides M. Briand, some of the best speakers of the Parliament—MM. Barthou, Paul Deschanel and Ribot for the republicans, M. Piou for the Catholics, Deville and Jaurès for the socialists, and, in the Senate, Clémenceau and de Lamarzelle—delivered addresses that redound to the credit of French eloquence. Every aspect of the problem was carefully considered. Theological and canonical questions were argued as in a church council; at times the hearers might have imagined that they were attending a university lecture on law or on history.[2]

While the opposition of the members of the Catholic party to the new bill was uncompromising and for that very reason ineffective, the objections of the moderate republicans to some of its more stringent provisions carried weight with the Chamber, and their suggestions, accepted by a *rapporteur* of free and hospitable mind, were embodied in the bill as definitively voted. The result was a law that hostile partisans assailed with vehemence; but M. Deschanel, speaking at the end of the

[1] *L'Aurore*, April 29, 1905.

[2] For instance, the historical problem of the relation between the confiscation of church property and the appropriations voted by the Constituent Assembly for the maintenance of the clergy, and the question whether these appropriations are to be regarded as a salary or as an indemnity, were thoroughly and brilliantly discussed by the socialist Gabriel Deville. The Chamber favored the theory that the "budget of the Roman Catholic worship never had the character of a debt." Session of March 23, 1905: *Journal Officiel*, March 24, 1905.

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discussion, described it as a moderate law, and one that could not be denounced as "a law of persecution and hatred."[1]

If a certain class of radical politicians, of whom Deputy Allard, of Toulon, was the most consistent representative, had had their way, the church would have been treated much more harshly. It would have been deprived of all the buildings devoted to worship, and it would have been left without indemnity or pensions of any sort. In fact the law, although voted by a political party that has for the church nothing but distrust and in some cases hostility, exhibits a liberality of spirit which the radicals had not previously displayed. This liberalism, besides being in accordance with the principles of the republic, was prompted by the political necessities of the hour. Neither M. Clemenceau, on whom was to fall the responsibility of applying the laws, nor M. Combes, who originated the first bill, nor M. Briand, on whom fell the brunt of the parliamentary battle, were in sympathy with the policy of those radicals who expected to use the new law as a weapon to strike at religion. Speaking in the Senate, as early as October, 1902, M. Clemenceau had expressed his opinion on the subject in unmistakable terms: "Governments can do nothing against beliefs. Religions have been seen to rise: religions have died out. Never has a religion been seen to die under the action of governments." And later he explained what the republican party was aiming at: "We do not wish to destroy a single belief in a single conscience; but we wish and we are able to destroy everything that pertains to the Roman government." In his Auxerre speech, already referred to, M. Combes, announcing his intention to propose a bill of separation, stated that, while he believed that the republican party would accept without reluctance the thought of the divorce, he felt likewise assured that they would accept it "not in spirit of hostility towards Christian consciences but in a spirit of social peace and religious liberty." The principles that guided M. Briand are most emphatically expressed in the speech that he delivered on November 9, 1906, before the Chamber, after the pope had

[1] Session of July 2, 1905.

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condemned the law. Addressing the members of the Catholic party he said:

What does the state, the lay state, owe you, gentlemen? What it owes you, Catholics, is liberty of conscience. It owes you more: it owes you the faculty of expressing in all independence your religious beliefs through those exterior manifestations which constitute worship. [Hear! Hear! on the right and in the center.] That right the law must confer upon you, the state must guarantee it to you. When you say that we declare war on the church, on religion, gentlemen, you are mistaken. The undenominational state must remain neutral in respect to all religious confessions. It is not anti-religious, it has not the right to be anti-religious. [Applause on the right and in the center.] It is unreligious. [Applause on the left and extreme left.]

This liberalism, which had been called into question, was asserted at the very outset, in the first article of the law, in which, contrary to present practice, a statement of principles was inserted. It reads: "The republic assures liberty of conscience. It guarantees freedom of worship subject only to the restrictions hereinafter imposed in the interests of public order."

IV. *The law of 1905*

This law of December 9, 1905, might, at first sight, seem of little interest, since it has been almost wholly superseded, as far as the Roman Catholic Church is concerned, by the law of 1907. It is, however, of considerable importance, and for two reasons. In the first place, it holds good for the Protestant and Jewish denominations. In the second place, it is worth while to note what there was in its provisions that was found unacceptable by the papacy, and it is useful to inquire to what extent it deserved the imprecations that were heaped upon it.

The law is long and in appearance complicated. It is divided into six chapters and forty-four articles. The first chapter is entitled "Principles"; the second deals with the assignment of property and pensions; the third, with the edifices for public worship; the fourth, with the associations for religious worship; the fifth, with public-worship regulations; and the sixth, with general regulations. From this maze of 44 articles let us dis-

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entangle the main lines of the new régime and go straight to the heart of the law.

Since, under the Concordat, worship was organized by the hierarchy under the control of the state, and the material interests of the church were entrusted to the care of a body known as the vestry or *conseil de fabrique*, it was essential that some organ should be established to take over some of the duties of this latter body. The organ provided by the new law was the now famous "association of worship" or *association cultuelle*. It is first mentioned in chapter iv, article 18. Its sole object, as article 19 provided, must be "religious worship." The association must be composed of at least seven members in communes of not more than 1000 inhabitants. The number of members increases, in proportion to the size of the commune, to a maximum of twenty-five.

Where do these associations get the funds to carry on religious worship? First, they succeed the former vestries in all their property rights, real or personal. The transfer was to be made by the legal representatives of the old establishment. The vestries could thus choose their own successors. The state interferes in no way in the transfer except to protect all interests concerned. In the second place, the associations of worship may receive, in addition to the assessments provided by the general law of associations, the proceeds of collections, offerings and payments for religious ceremonies, rental of pews, *etc.*

How about edifices of worship, the seminaries, parsonages, houses of bishops and archbishops? It has seemed strange to many that the state should have control of buildings that are essentially a part of the accessories of worship and seem to belong to the various congregations as much as the crucifixes on the altars or the garments of the priests. Unfortunately all edifices of worship—which, it is important to note, were never the property of the clergy but of the parish or commune—became property of the nation by the law of 1789; and this decree has never been repealed. The decisions of the Court of Cassation and of the Council of State, the policy of all governments, including the monarchy, have been unanimous in regard-

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ing this property as state property.[1] It might have been generous to hand it over to the clergy. But the state as such is not given to displaying generosity.

Some of the more uncompromising enemies of the church were willing to debate but one question, namely: What shall be done with the churches? M. Allard was not averse to selling the parsonages outright to the highest bidders and to transforming the churches into music halls. But the majority of the Chamber refused to go to the limit of its legal rights and, under the pressure of the more conciliatory deputies, adopted a wiser policy. According to article 13, "buildings used for purposes of public worship with their furniture and equipment will be put free of charge at the disposal of public religious establishments," *i. e.* associations of worship. Moreover these buildings are exempt from the realty tax as well as from the tax on doors and windows. Of course this right of gratuitous occupancy is conditioned on the fulfilling of special requirements such as the maintenance and care of the buildings, the continuance of worship, *etc.* The houses of archbishops and bishops, parsonages and seminaries, were left gratuitously at the disposal of their previous occupants, the former for two years, the latter for five years. After the expiration of these periods they were to revert to their rightful owners, state, department or commune, to be disposed of as these owners might see fit, which meant, in most cases, that these buildings were to be rented to the very persons who were then using them.

The treatment accorded to the ministers of the various denominations was likewise considerate. They were not thrown on the tender mercies of flocks unaccustomed to loosen their purse strings for commodities which, up to then, cost them nothing. A system of pensions and allowances was devised, meeting the demands of the occasion and making the transition less painful for all concerned. Ministers over sixty years of age and having served thirty years received for life three-fourths of their salary. Ministers over forty-five, having twenty years

[1] This referred only to edifices built before the Concordat. Readers who have traveled in France have doubtless noticed on the churches the inscription "Liberté, Égalité, Fraternité," which is the stamp of the state on all its property.

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of service, were given half their former salary. These pensions, in case of denominations having married ministers, were to accrue after death of the holders to the profit of their widows and children. Those who were not entitled to pensions received during four years allowances gradually decreasing from the entire salary to one-third. The duration of this period was increased for localities having less than one thousand inhabitants —villages where the adjustment was likely to be more slow and difficult—so that for the ministers of country parishes the period became eight years.

Of course it is only fair to set over against this list of liberal provisions the principal restrictions that accompany them. Some of these restrictions are financial. They are precautions that every institution which wishes to be on a solid financial basis should welcome. Thus, in accordance with article 21, the associations of worship are to keep an account of their receipts and expenditures and are to submit it every year to the inspection and auditing of the department of internal revenue. Other restrictions are intended to check the menace of exaggerated development of wealth—a constant object of concern in a land where the church once owned one-third of the territory, where mortmain has always been a national bugbear, and where an ordinance of 1749 passed by "the most catholic king" forbade the growth of inalienable property by legacies. Inasmuch as the law of 1905 does not authorize the religious associations to receive legacies, legacies to these associations are invalid. The right to enrich oneself by legacy is a privilege that the state gives or refuses as it sees fit. Under the association law of 1901 lay associations have not that privilege. M. Briand, in his report, stated his position in the following words: "Religion must not maintain itself by the inheritance of the dead but by the voluntary liberality of the living. It is the zeal of the faithful that will make the church live and that should regulate its fortune."

To the property of these associations was added a reserve fund, of which the amount is limited. In the case of associations having a yearly income of at least $1000 the reserve fund is not to exceed three times, and in the case of

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associations with a smaller income it is not to exceed six times the average amount spent yearly for public worship during the preceding five years. If, for example, a church receives $2000 a year and spends $1500, it may have a reserve fund of $4500. Besides this general reserve fund a religious association may have a special reserve fund for the construction, repairing and decoration of buildings. This fund is not limited.

The political restrictions inscribed in the law are inspired by the same fear that the church may become too powerful. These restrictions, which are to be found in all the preceding drafts of a separation law, indicate the suspicion with which the republic, or rather the state, whether republic or monarchy, has always looked upon the church. And there is some ground for such suspicion. If when the priests were under the direct control of the state they rebelled against the laws, interfered in politics and threw their influence on the side of the opposition, what would they not do in a régime of unlimited freedom? To say that the ministers of worship are ordinary citizens is to beg the question. In a Roman Catholic country, where they have participated for centuries in the power and prestige of the government, they have, through the confessional and the special education given to their flock, an influence against which the state may well wish to guard itself.[1]

Therefore articles 31, 34 and 35 of the law provide appropriate punishments for attempts to interfere with private liberty, for insults addressed to public officials, for provocations to violation of the laws of the land, on the part of the ministers of worship. These penalties vary from a fine of three dollars, in case of threats determining people to exercise or abstain from exercising their rights of religious worship, to two years in jail, in case of provocation to resist laws and attempts to raise one section of the people against the other.

In a French comedy, *Les Faux Bonshommes*, a man whose will has just been read exclaims: "Why, they speak only of

[1] For the last thirty years there has hardly been an election of a Catholic member to Parliament in which the defeated candidate has not complained of undue pressure exercised by the clergy on the country voters. Most annulments of elections have been based on "interference of the clergy."

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my death in there." Likewise the Catholics claim that in this law disfranchising the church there is a disquieting amount of talk about prison and fines. A French court has even gone out of its way to qualify these articles as *exorbitant, du droit commun, i. e.* discriminating against one category of citizens. So long, however, as the ministers of worship confine themselves to their religious duties, there is no reason why these threatened punishments should alarm them.

Such, in its main provisions, is this law of 1905. At first sight, and from an outsider's point of view, it seemingly presented all the guaranties required for the free exercise of worship by all concerned. It gave to the churches an official organ, which was to take in hand the administration of their property and the temporal government of the parishes. It assured to the "associations of worship" all the money needed for their current expenses, and for the construction as well as for the maintenance of buildings. They were to keep all the property then in the hands of the vestries (*conseils de fabrique*). This property amounts, according to M. Briand, to one hundred million dollars; to this must be added 2000 churches,[1] 2500 parsonages and a large number of seminaries. That was all theirs.[2] They were to keep likewise gratuitously for five years buildings belonging to the state, the departments and the communes—palaces of bishops or simple parsonages. 20,000 priests were to receive the benefits of the allowances provided for those who were not entitled to a pension; and all the theological students subject to the old military law were to continue to enjoy the usual exemption.

To these were added other advantages of a moral character. The régime of subjection to the state had come to an end. No more compulsory liturgy; no more disciplinary measures against the members of the clergy; no more participation of the government in the choice of bishops and priests. The state had

[1] Chamber of Deputies, Session of February 19, 1907. The 2000 churches were built since 1801.

[2] A whole year was given to the churches to adjust themselves to the law. This period was extended to two years for the transfer of property. So the law voted on December 9, 1905, was to have its full effect only in 1907.

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no longer the right to interfere between the Holy See and the clergy; and henceforth bishops were free to assemble as they saw fit and communicate with the pope without the consent of the government. And of some of these rights they have already availed themselves.

Finally there was a clause which excited more controversy than any other—a clause inserted to insure the church against the danger of having its property pass into the hands of unorthodox or schismatic bodies, organized as associations of worship according to the law and nevertheless out of sympathy with the tenets of the Roman Catholic doctrine. In article 4, regulating the transfer of property, M. Briand, supported by M. Jaurès, obtained in the teeth of the opposing radicals, of whom M. Clemenceau was not the least vigorous, the restriction that the property of the vestries should be transferred to those associations only which conform "to the regulations of the general organization of the religious worship of which they propose to assume the exercise." Thus were frustrated the hopes of the men who expected that the law might prove a useful weapon to promote schism within the church, and who claimed that it was not the state's business to perpetuate Catholic orthodoxy. It is true that this concession to orthodoxy was thought to be cancelled in part by the provision of article 8, referring all contests to the Council of State and empowering this body to decide whether one association rather than another conforms "to the regulations of the general organization of the religious worship."[1]

A group of Catholics, writing a letter to the pope in September, 1906, after reciting the various advantages offered by the law ended by saying: "You will never succeed in making the people believe that a law that provides such advantages for the church is a law hostile to religion."[2]

[1] The Archbishop of Besançon, in a pastoral letter of January 29, 1907, summed up the objections against the powers given to the Council of State: "A tribunal composed exclusively of laymen, Christians, freethinkers and Jews, empowered to pronounce as final court of appeal on a question which only the ecclesiastical authority has the mission to decide! It is an intolerable incursion of the civil power . . . ." See *The Nineteenth Century and After*, June, 1907.

[2] Petition printed in *Le Temps*, September 2, 1906.

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Whether the people believed the law to be hostile to religion or not, they obviously approved of it; for at the first opportunity given them to express an opinion, they sanctioned the work of the parliament. From the general elections of May, 1906, the party that had voted the law came back stronger than ever. This result disposes of the argument that the separation law was forced upon an unwilling country.

Nevertheless the Holy See vetoed the law. Why?

V. *Reasons of the church for opposing the law*

Although the church of Rome finally refused to accept the law, the Catholics of France were far from unanimous in their hostility. It is true that the militant clericals, like M. de Mun, the orator whose florid eloquence had always defended the traditional privileges and reactionary claims of the church, preached resistance to the law. In a speech delivered in December, 1905, after the vote, he said:

> This law, which assumes the lying name of a separation law, is more odious than the civil constitution of 1791, which, however, left in history a trail of blood. That was a schism; this spells apostasy . . . I hear people say that we must advise Catholics to make a loyal trial of this mortal experiment. As for myself, I shall not consent to it.

But, on the other hand, a large number of prominent Catholics showed themselves willing to accept the law in spite of its defects. In May, 1906, before the first assembly of bishops met to discuss the situation, twenty-three laymen, among whom were the late M. Brunetière, M. Thureau-Dangin, M. d'Haussonville and the Marquis de Vogüé (all four of the French Academy), MM. Anatole Leroy-Beaulieu, Cochin and others urged the bishops, in a public letter, to try to make use of the new legislation.

At the end of May, 1906, seventy-four bishops, assembled to prepare a compromise, decided after two days' deliberation to give the law a trial. While rejecting almost unanimously[1] the form of association provided in chapter iv, they accepted a pro-

[1] Two bishops only, if we are to believe the statement of the Comtesse de Franqueville, voted for it. *The Nineteenth Century and After*, June, 1907.

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ject of association of worship which had been drafted by the bishop of Besançon and which appeared to be both legal and canonical. In a letter to the Comtesse de Franqueville, this very bishop, M. Fulbert-Petit, gives the text of the question upon which the decisive vote was taken. It reads: "Do the bishops believe that it would be possible to constitute associations which, without violating the law of separation, would maintain intact the essential rights of the church . . . its divine constitution and its hierarchy?"[1] The answer was yes, by a large majority. It is true that the same bishop adds that, while the majority thought it possible to find a ground of conciliation and said so freely, at the same time they respectfully submitted their opinion to the judgment of the pope, promising to abide by his decision.

The pope, whether acting under the influence of his advisers, as has been supposed, or himself unable to see his way to accept the law in any form, did not follow the suggestion of his bishops. He was somewhat slow in making public—perhaps also in forming—his opinion, and the decision that the French Catholics were awaiting came, so to speak, in two instalments. The first of his encyclicals following the promulgation of the law appeared on February 11, 1906. From its opening words, which give the keynote of the whole document, this encyclical is known as *Vehementer Nos*. It is indeed a vehement attack, not only upon the religious policy of the republic, but also upon the conditions under which the rupture with the Holy See was brought about. The very principle of separation of church and state is declared to be "an absolutely false thesis, a very pernicious error." As to the law of 1905, Pius X complains that, by giving the administration of worship not "to the divinely instituted hierarchy but to an association of laymen," it violates the principle according to which the church "was founded by Jesus Christ." These "errors" and the measures taken for the police of the churches, the exceptional penalties provided against rebellious priests and the claims of the state on all the places of worship built prior to the Concordat, war-

[1] Letter of April 11, 1907; *The Nineteenth Century and After*, June, 1907.

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rant in his eyes the anathema that he finally pronounces against this law, which he considers an offence against God, himself, the bishops, the clergy and the Catholics of France.

The practical question, what course the French Catholics were to adopt when the law should go into effect, was first answered by the pope in his encyclical *Gravissimo*, published August 10, 1906, eight months after the promulgation of the law. The gist of the document is in two sentences: "After having condemned as was our duty this iniquitous law, we examined with the greatest care whether the articles of the aforesaid law would leave at least some means of organizing religious life in France so as to rescue the sacred principles upon which rests the Holy Church." Having consulted the bishops, and addressed "fervent prayers to the Father of Light," the pope came to the following conclusion: "As for the associations of worship, as the law organizes them, we decree that they can absolutely not be formed without violating the sacred rights which are the very life of the church."

Is there any other form of association which might be both legal and canonical? Pius X did not see any. Therefore, as long as the law remained as it was, the Holy Father forbade the French Catholics to try any form of association which did not promise, in an "unmistakable and legal manner, that the divine constitution of the church, the immutable rights of the Roman pontiff and the bishops, as well as their authority over the property necessary to the church, especially over the sacred edifices, will be forever insured in those associations."

This condemnation by the pope, occurring two months before the law was to take effect, created a great sensation. The supporters of the law were astonished. M. Briand confessed later that he had not thought such a decision possible. The adversaries of the law were scarcely less surprised. However, most of the faithful members of the church, priests and laymen, declared their willingness to submit to the pope's instructions. That they were all, in their conscience, convinced of the soundness of the Holy See's position no one would claim. As stated above, the assembly of bishops as well as twenty-three distinguished laymen had already expressed their desire to

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adapt themselves to the law, however much they disapproved of its principles. On September 2, *Le Temps* published a petition of a group of French Catholics to the pope complaining bitterly of his "unexpected *non possumus*" and deprecating this decision, in which they claimed to see the influence of a committee of "German, Italian and Spanish prelates." And the same letter recited at length the undisputed advantages that the church could find even in this law, in some respects unsatisfactory to her. They considered that the main objection of the Holy See against the law, namely the unorthodox character of the associations of worship, could not hold after the seventy-four bishops had solved the problem of conciliating the rights of the law and of the Catholic hierarchy by accepting a project of associations that were both "legal and canonical." Other authorities no less worthy of credit refused to admit that the associations of worship could not be fitted into the Catholic hierarchy. Thus Professor Esmein, of the faculty of law in the University of Paris, wrote, in October, 1906, in the *Revue Politique et Parlementaire*: "These associations, to be sure, are not in the hierarchy of the church; they are outside of it . . . But the church may regulate their relations with herself as she pleases. She may introduce into them members of the clergy or to only laymen." Such is the case in America, where, according to the council of Baltimore of 1884, quoted by M. Brunetière,[1] "those who administer the property of the church, in whatever capacity, can do it legitimately only with the consent of the Holy See or of the bishops." In order to enforce this rule the bishops of the United States drafted a certain number of conditions relative to the constitution, composition and competence of these councils and boards of trustees.[2]

[1] *Revue des Deux Mondes*, December 1, 1905.

[2] It is fair to oppose to these statements of French Catholics the opinions of a French Lutheran jurisconsult, M. Armand Lods, who wrote in a Protestant review: "The more closely I study them, the more convinced I am that it was impossible for the pope to accept the *associations cultuelles*. In accepting them he would have allowed the government to impose a Protestant organization on the Catholic Church." *Foi et Vie*, August, 1905. M. Combes likewise stated, in a sensational article published by the *Neue Freie Presse* of Vienna, in January, 1907, that "the famous theory of associations of worship fits very badly with the essential principle of Catholic belief."

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But the arguments and reasons of the professors of law, the Catholic laymen or M. Brunetière were of no avail after the Vatican had announced its decision. And for this decision there were, from the ecclesiastical point of view, three grounds. One was the failure of the law of 1905 to recognize, in so many words, the authority of the ecclesiastical hierarchy.[1] Another was the abrupt fashion in which the French government broke off its diplomatic relations with the Vatican. The fact that the government consistently ignored the pope during the drafting of the bill was a third.

It is obvious also that the financial grievances of the clergy were very serious. Endless arguments were exchanged between the opposing historians and jurists as to whether the appropriation given by the revolutionist assembly to the clergy was merely the salary of a public service, as the republicans claim, or, as the Catholics assert, a compensation for the confiscation of religious property in 1789. It appeared in the parliamentary debates that each side was able to make a pretty strong case and to array a formidable line of dates and texts. The discussion brought out sharply the fundamental points of difference. The Catholic party has always felt that the church suffered a financial loss and a moral injustice, for which it was entitled to a pecuniary compensation. The republican party has never dreamed of giving the slightest satisfaction to these claims, and it has always regarded the law of November 2, 1789, as conclusive on the merits of the question. To this party the matter is *res adiudicata*.

There was, however, an objection stronger than any thus far noted, stronger even than the repugnance at seeing the eldest daughter of the church cut loose her last ties with Rome. It was the hostility of the pope and of the church as a whole to the régime of separation in itself, considered as a theory of ecclesiastical or of secular government. In the Syllabus issued by Pius IX in 1864, exposing "the principal errors of our time,"

[1] "What does the pope want? Simply that a legal text should recognize, not as a divine right but as a historical fact, the necessary authority of the church hierarchy over the association of Catholics established by the law." Abbé Gayraud, deputy of Morbihan, quoted in Professor Esmein's article, *loc. cit.*

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chapter vi mentions, among the errors relative to "civil society," the assertion that "the church must be separated from the state and the state from the church." Likewise in the encyclical *Quanta Cura* of December, 1864, the same pope proclaims, in accord with his predecessor Gregory X, that it is a mistake or, in Gregory words, a *delirium*, to assert that "freedom of conscience and of worship is the right of every man." In the light of these and other similar papal utterances[1] it seems scarcely strange that Pius X should have refused to give his approval to a régime which goes against all the ideas, traditions and doctrines accepted by the church.

VI. *Situation created by the opposition of the church*

Meanwhile what was the government to do? Its position was embarassing, and its policy, for a time, was vacillating. Circulars and speeches followed each other in quick succession. In the first place the government took no official notice of the pope's instructions. In the second place, the president of the council and the minister of worship stated emphatically their determination that the churches should not be closed and that worship should go on. Under what régime the churches were to live was at first somewhat uncertain; but M. Briand speedily discovered in existing legislation all that was needed to insure the continuance of religious worship. He was willing to admit that the church was not obliged to avail herself of the privileges that the new law provided for her. Law imposes duties on citizens, but it does not force them to make use of rights or privileges. Everything that is not forbidden is lawful. Hence, citizens who should meet to practise their worship would do so in accordance with the law of 1881 regulating public meetings.

This solution was first made public on November 9, in a masterly speech delivered by M. Briand before the Chamber in answer to an interpellation. M. Briand showed, once more, his spirit of conciliation and his breadth of mind. His address, which was received with acclamations and was posted all over

[1] *Cf.* also the document *De Ecclesia*, anathematizing the doctrines of freedom of conscience and toleration of all religious sects.

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the country, recited with earnestness and fervor the efforts that had been made to draft a bill satisfactory to all concerned and the desire that he still felt to establish a régime in which worship might be possible and easy for all sincere worshipers. This régime he afterwards described at length in a circular published December 2. The minister stated that the priests could make use of the churches after having filed such an application or declaration as is required for ordinary meetings by the law of 1881. These declarations would be valid for a whole year instead of for one meeting. But under this régime the priests would be simply temporary occupants of the buildings of worship without any legal title.

This compromise proved no more satisfactory to the Vatican than the law of 1905. Besides, the circular of Minister Briand sounded less conciliatory than his previous utterances, inasmuch as he warned the church that it would lose, for lack of compliance with the law of 1905, all the property of the vestries, which would go to institutions of charity, and that it would forego the various privileges which the law of 1905 offered to her ministers. So the pope refused to sanction this arrangement. He objected to the scheme of yearly declaration. In the first place he complained that this broad interpretion of the law on public meetings was merely a personal fancy of M. Briand which might not bind his successors. In the second place, the dignity of the priests did not allow them to accept the humiliating position of simple occupants of the churches.

Meanwhile the time was fast approaching when some solution must be found. The period given to the churches to comply with the law ended December 11, 1906. The day came. Nothing happened. Services were held as usual in all the churches. In some instances the required declaration was made by faithful laymen, who wished to avoid useless disorders. On the other hand, many ministers took advantage of this opportunity to violate the law and to annoy the government. These delinquents were prosecuted and fined. At St. Étienne, for instance, twenty-one priests were fined, each to the amount of one dollar and twenty-five cents. In the provinces, here and there, the

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mob hissed and threatened the officers who came to attest the violation of the law. In the little town of Lesneven, in Brittany, the policeman was met by an infuriated mob, and a woman with knife in hand showed her disapproval of the law of 1905 in a way that the official could not well countenance.

Other provisions of the law, viz., those requiring the return of property to the state or to the commune, were immediately enforced, and their enforcement was accompanied by popular manifestations. Bishoprics, parsonages and seminaries were vacated. The archbishop of Paris left his palace in a spectacular manner, surrounded by a crowd of young aristocrats and other faithful Catholics who sang hymns and hitched themselves to his carriage. Similar demonstrations occurred at Tours, Annecy, Bourges, Nancy and other cities. In some places the evacuation of seminaries and parsonages was likewise marked by incidents. At Cambrai, during the expulsion of students who had barricaded themselves in the theological seminary, the coadjutor of the archbishop touched in an oratorical gesture the shoulder of the sous-préfet; he was at once arrested and was fined five dollars by the court. Everywhere the officials of the department of internal revenue had to take over the property of the vestries, and here and there this operation was attended by friction. Protests, more or less indignant, were made from the pulpits. And to manifest their grief, many churches suppressed the Christmas midnight mass, which has always been a popular fête and an occasion for revelries in high-price restaurants. But on the whole, the manifestations against the law, however sincere, were not pushed to the point of serious disturbance of the peace.

The attitude of resistance, however, was sufficiently marked to lead the government to resort to some vigorous measures. Hostilities were opened by the expulsion, on December 11, of Mgr. Montagnini, secretary of the ex-nuncio, who had remained in Paris and was giving instructions to the clergy. His papers were seized and published; and whatever may be thought of the propriety of the seizure, the papers showed on the part of the Roman prelate more than a passive interest in French affairs.

The government, however, could not leave several million

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Catholics in a position in which opportunity to perform their religious duties depended upon uncertain texts and the circulars of a temporary minister of worship. It therefore set out to draft a bill that would be acceptable to the church without any recourse to the discarded associations of worship. The new bill was submitted to Parliament December 15, 1906; was accepted by the Chamber December 21 and by the Senate December 29, and was promulgated January 2, 1907.

VII. *The law of 1907*

While the law of 1905 remains valid as regards the denominations that have submitted to it, so that its advantages are enjoyed by Protestants, Jews and a few dissenting Catholics, the Roman Catholics will have to be satisfied with what is given them by the law of 1907. The spirit of this new law is expressed in the statement made by the government in introducing the bill:

> Since it appears that without motives of a religious order, upon an injunction from outside, the church rebels against the law even when the law requires only so simple a formality as an annual declaration, all weakness in dealing with her would be folly. It is the government's duty to insure with calm and firmness the supremacy of the civil power and the enforcement of all legal prescriptions.

Accordingly most of the privileges granted in the law of 1905 are withdrawn; and the law of associations of 1901, combined with the law of public meetings of 1881, forms the basis of the new régime.

Article 4 provides the new substitutes for the associations of worship. It states that public worship may be carried on by meetings held at the initiative of private citizens in accordance with the law of June, 1881, and with article 25 of the law of 1905, *i. e.* without a renewed declaration for every meeting.[1] Worship can also be organized by means of associations formed under the law of 1901. This law provides for two kinds

[1] A law promulgated on March 28, 1907, has modified the law of 1881 on this point. Formal declarations are no longer required for any meetings, religious or secular.

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of associations: "free" associations, which have no "civil capacity," *i. e.* no capacity to acquire property rights or to incur obligations; and "declared" associations, which enjoy a limited civil capacity. In a "free" religious association, all property, real or personal, is necessarily held by individuals, *e. g.* by the clergy. The property rights of "declared" religious associations are less extensive than those which the law of 1905 grants to the associations of worship, but on the other hand the former associations are not subjected to the strict financial supervision which is exercised over the latter. As for the buildings, they may be left gratuitously at the disposal of the associations or of the ministers who make a declaration. The right to use these buildings is to be regulated in a contract between the priests on the one hand and the prefects or mayors on the other, according as the buildings belong to the state or to a commune.

Question arose immediately as to the form of the contracts to be signed. The bishops, assembled in Paris at the end of January, 1907, published a sensational statement setting forth their attitude in the matter. Their proposal, of which the form was somewhat haughty and uncompromising,[1] required the signing in all the parishes of eighteen-year leases, which were to be uniform everywhere. These leases were to be valid for the successor of the signer, provided he was appointed by the bishop.

The claim of the bishops to dictate to all the prefects and mayors of France the conditions under which they should lease state and communal edifices, permitting no reservations as to the personality of the lessee, who therefore might be a foreigner or a monk, seemed unacceptable to the government. M. Clemenceau was incensed at the "audacity" of the bishops, called their statement an "insolent ultimatum" and contemptuously refused to consider their demands. M. Briand, on the contrary, was open to conviction. Noting that the church, through

[1] The first paragraph reads as follows: "We remain faithful to our preceding statements . . . and maintain against the laws the protest that we have entered in common with the sovereign pontiff. With his Holiness we ask, in behalf of the church of France, respect for its hierarchy and the inviolability of its property and freedom."

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its bishops, showed for the first time a desire to accomodate itself to a law founded on the new order, he thought it wise not to discourage this state of mind but to make the best of it. He sent a circular to the prefects, suggesting models of contracts which were in accordance with the law and which safeguarded the rights and interests of the communes as to the ownership and repairs of the buildings, but which, at the same time, respected the right claimed by the Catholic church not to be dispossessed of her edifices in favor of schismatic or unorthodox groups. Faithful to the spirit of the law if not to its letter, the minister declared that all contracts would become void if the priest should lose his position—in other words, should no longer be recognized by the hierarchy of the church as a regular priest in good standing. On this point M. Briand showed himself the sincere and loyal defender of the liberties and rights of the Catholics, in the face of the opposition of many republicans, who reproached him with binding forever the state and the communes to the church of Rome in its present form. Of course all those who objected to article 4 of the law of 1905 protested against the ministerial circulars. Replying, on February 19, 1907, to an interpellation of discontented anti-clericals, M. Briand stated his point of view in the following words: "They [the mayors] must not forget that the law of 1907 gives the churches gratuitously to Catholic worship, and that therefore they must not remain open to any other ceremony or manifestation that one might desire to see there, but only to the Catholic worship."[1]

When we come to the restrictive provisions of the law of 1907, we find that the church did not meet with the same friendly treatment as in 1905. The supplementary delay of one year, previously allowed by special decree for the transfer of property, was cancelled. From the date of promulgation of the law, namely January 2, all the property of the *menses* and vestries was definitely attributed to philanthropic and charitable institutions. Several important privileges previously accorded to the ministers of worship were likewise cancelled. Catholic theological students, who had enjoyed the benefit of the military

[1] *Journal Officiel*, February 20, 1907.

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exemption of two years and who, at the age of twenty-six, were not in the service of an association of worship, were to go back to the barracks.[1] The result was depicted by M. Briand in the speech already cited. Answering his opponents, who complained that he was too lenient and too compromising and had humiliated the republic before the church, he said:

What is the fate of the church? You know it. She refused all these privileges, and now she is reduced to the point of soliciting, with Rome's consent, the lease of the churches, and not merely of the churches that belong to the state and the commune but of her own churches, of those which, two months ago, were her absolute property.[2]

Carried away by his emotion, M. Briand went so far as to express sympathy with the church against which he had been waging battle. Describing the sad plight to which her pride, obstinacy or faithfulness had reduced her, he said:

Indeed, if I am to speak quite frankly, the result is such that I wonder if it is not too complete. There are certain victories which ought not to be too great. There are certain victories which one may be proud of having won; but one must not wish them so complete that they leave behind a rancor and an anger that might be transformed into hatred.

VIII. *The present outlook*

Strangely enough, these pessimistic words of the author of the separation laws seem to-day somewhat too somber for the occasion. Of all the catastrophes prophesied or feared by foes or friends none has occurred. The new régime so violently attacked in and out of France is being gradually acclimated. The two laws which, in January, 1907, a meeting of indignant Americans, citizens of New York, branded as laws "of domination and persecution," born in "fraud and deceit," constituting "an invasion of human rights" destructive of "all liberty,"[3] are being

[1] But the Council of State saved them; *cf. infra*, pp. 293, 294.

[2] The leases that were being made everywhere between bishops and mayors were abruptly broken off, because the archbishop of Paris and the prefect of the Seine had not been able to come to an understanding, each making conditions that the other found unacceptable.

[3] See *The New York Times*, January 28, 1907.

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daily carried out, and no cataclysm accompanies their enforcement.

In the first place, this much-abused legislation has not proved wholly unsatisfactory to the church. The hierarchy, which refused so sternly to accept the provisions that it considered inimical to its rights and its interests, was not slow in making use of some of the more desirable features of the law. Thus bishops and priests, for the last two years, have been appointed by the church alone, without interference by the state. No more quibbling with Rome over desirable or undesirable candidates. The Vatican has had its hands free. Again, the dignitaries of the church, who formerly had no right to assemble, have held in 1906 and 1907 two great gatherings, in which they have discussed in all independence the interests committed to their charge. Nor has the article relative to pensions been overlooked by the clergy. The very priests who, in obedience to the pope, refused to form associations of worship were prompt —and rightly so—in sending in applications for their pensions, which have been duly paid.

On the other hand, the adjustment of the personnel to the needs of the parishes, the creation of new chapels in overcrowded sections which were insufficiently equipped, the foundation of unions of priests for the defence of their material interests—movements which were impossible a year ago—are now in progress everywhere, and the church is diligently adapting herself to the new conditions. The archbishop of Paris, for instance, has created ten new parishes. The three million francs lost by his diocese in the application of the new law were easily made up by the society known as *L'Oeuvre du denier du culte*. This society receives and collects from the faithful, in addition to the usual offerings, annual subscriptions to replace the lost state revenues. Many similar societies have sprung up in the various dioceses to meet the necessity of the hour—the maintenance of the clergy and the continuance of public worship.[1]

[1] See the article by Abbé Félix Klein, a well-informed and liberal Catholic, on "The Present Difficulties of the Church in France," *The Atlantic Monthly*, April, 1908.

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The period of transition is proving less stormy than might have been anticipated from the riots that accompanied the simple formality of the taking of inventories. The only fighting now going on is in the courts of justice, and the church has no reason to complain of their decisions. In dealing with priestly violations of the law, the courts have shown themselves very lenient. Some magistrates have gone to the extent of indicating their disapproval of some of the provisions of the new legislation. Thus the court of Paris, rendering judgment in the case of Abbé Jouin, who, in an ambiguous phrase, had called upon his parishioners to oppose to the law "an armed mourning" (*deuil armé*), punished this alleged "direct provocation to resist the law" (article 35) with a fine of three dollars and twenty cents. One of the extenuating circumstances discovered by the court was that the law of 1905 discriminates against the priests, as far as their political rights are concerned. The tribunal of Troyes went out of its way to remark that "inasmuch as the state had taken all the property of the Catholic clergy, the priests had no other resource than the generosity of their flocks"—a statement which was construed as an attack on the law and was resented as such by the representative of the government. On the other hand, when schismatic groups have tried to expel from the edifices of worship the regular and duly recognized priests, several courts have shown unmistakably that they would not allow the law of separation to be used as a means to disrupt Catholic unity. Decisions to this effect have been rendered by the courts of Clamecy (Nièvre), Montmédy (Meuse) and—the last and most decisive of all—by the court of Bastia (Corsica).[1] Even the Council of State, whose liberalism had been distrusted, has given generous decisions on

[1] In this case, decided in March, 1908, there was an association of worship and there was a priest who claimed the right to use the church building under article 13 of the law of December 9, 1905; neither priest nor association was recognized by the bishop. The court refused to grant the church to the unorthodox claimants, stating the ground of its decision as follows: "Whereas the parish church of P. is a municipal building which has always been devoted to Catholic worship; whereas this building loses its assigned purpose (*destination*) by being used for the celebration of a worship which is not orthodox, Father F. not holding his powers from the bishop of Ajaccio . . . " *etc.*

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some disputed points, such as the eligibility of priests to municipal functions and the military duties of theological students.

In the various communes of France the question of disposing of the parsonages has caused some friction. In one case the mayor of a village of the department of Creuse wished to use the parsonage for a school; but the inhabitants protested with such vigor that he had to withdraw his proposal. In other instances the municipal councils asked from the priests only nominal rents; so that the prefects annulled what they considered covert efforts to defeat the law, which prohibits any subvention whatever to any denomination. Other municipalities have been still more ingenious. A village in the department of Marne appropriated a sum of money to the priest in his capacity of "public nurse." In the department of Manche money was voted to a priest for the maintenance of the cemetery. In Tarn-et-Garonne a priest was paid for protecting the parsonage against thieves. The minister of worship has been obliged to write three circulars to prevent such evasions of the law.

There have been disputes between mayors and priests about the ringing of bells. The mayors of some cities insist on using the bells for civil ceremonies, such as a civil funeral or a civil wedding. In the department of Bouches-du-Rhône the bishop, in order to punish what he considered an invasion of the rights of the church and a violation of the law, withdrew the priest and interrupted all religious services. The interruption of religious services is the weapon that the bishops have used everywhere against hostile municipalities.

Meanwhile most of the buildings, such as bishops' palaces, parsonages and seminaries, that were occupied by the church are now used by the state for its own purposes, as schools, hospitals or government buildings. Thus the archbishop's palace of Paris was vacated in time to receive the office of a new minister just created, the minister of labor; and the historic seminary of St. Sulpice is now turned over to the service of the Luxembourg Museum.

An authoritative formulation of the Catholic grievances against the laws of 1905 and 1907 is to be found in an article by the Count de Mun, in the *Dublin Review*, July, 1907. M.

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de Mun's chief complaint is the uncertainty of the present situation. The legal status of the churches rests only on administrative regulations. "No guarantee protects them against arbitrary measures. Nothing is provided for their maintenance and repairs . . . The curé and his priests are only temporary occupants, without definite rights or legal authority." Moreover, after a church has been vacated for a certain time, for lack of repairs or for other reasons, it can be closed by the state and thus be lost for religious worship. Similarly, M. Félix Klein points out that the priests "cannot hold property except as individuals, and what they might receive for religious purposes cannot be handed down to their successors—it may revert only to their legal heirs. In brief, no permanent body whatever can provide for the maintenance of public worship."[1]

A more recent bill, which has just been voted by the Parliament (April 10), is resented by the Catholics as a new attack upon their liberties. It deals with the transfer of ecclesiastical property to charitable institutions. Under the previously existing law such transfers could be impeded by actions brought by the heirs of the original donors or testators to recover the property because of breach of the conditions on which it was given. The new law restricts the right of collateral heirs to bring such actions. If it had been adopted as voted by the Chamber, property given to the church for masses might have been transferred to a charitable institution, although this institution could not celebrate masses and did not intend to have them celebrated. It was argued that this disregard of the last wishes of the dead was made necessary by the church's refusal to constitute associations of worship; but such painful consequences shocked many citizens. A group of prominent Protestants petitioned the Senate not to sanction a measure which disregarded an essential article of the Catholic faith, *viz.*, belief in the efficacy and importance of masses for the dead. The Senate listened to the appeal. Senator Philippe Berger, a professor in the College de France, secured the adoption of an amendment, providing that property left for masses might be

[1] *The Atlantic Monthly*, April, 1908, pp. 513, 514.

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turned over to mutual benefit societies, founded for retired priests. These societies can celebrate the masses; and by this amendment one of the most objectionable features of the law was removed.

Taken all in all, it cannot be doubted that the church of France has suffered a great blow. It has lost its privileges and has been stripped of a large proportion of its worldly possessions, and that through the uncompromising policy forced upon it by its head. Does this mean that its situation is hopeless? Far from it. Those who have witnessed the development of the Catholic church in America, where it has had to rely on the support of the poorest portion of the population, may take courage in remembering that the church of France is still in possession of much of its equipment,[1] that its clergy is faithful and zealous, and that it has the support of almost the whole nobility and of a very large section of the French bourgeoisie.

Perhaps this passing crisis will prove a blessing in disguise. This loss of property, of official prestige, of temporal privilege may, after all, be more than compensated by the freedom it has recovered. The church, which was gradually falling asleep in a humiliating and deadening servitude, has been suddenly placed face to face with new conditions under which it will be able to show its right to live, its power to endure, its usefulness to the country that it claims to represent.

The régime of state subsidies and concordats—last remnants of theocracy—is gradually dying out everywhere. Whatever may have been its other merits, it never was a wholesome or invigorating régime for religion itself. The days of liberty, of free competition, of spiritual *laissez faire* and *laissez passer* have now come, and have come to stay. All the churches will be obliged to accept these new conditions or disappear: they must give in or give up.

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[1] "We may regard as the most important and valuable material resource the fact that the churches, with their furniture, are still gratuitously open to the clergy . . . Otherwise we should have been obliged to rent or build new churches." Félix Klein, *loc. cit.* pp. 514, 515.

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TURKEY IN EUROPE

THE easternmost of the three great peninsulas which project southward from continental Europe into the Mediterranean is at the present moment a historical laboratory. Almost every form of political and social experiment is there in progress. There are but few conceivable mixtures of human elements which have not been flung into the retort. Races, religions, languages, institutions, traditions, aspirations; governments, laws, administrations, tendencies; social forms, usages, occupations and organizations—every conception of man in social, political, and commercial relations may be concretely observed somewhere or another in that curious portion of the earth. Our fathers called it Turkey in Europe, and a part of it is still so designated by geographers. The schoolboy of two generations ago bounded it by Austria, Russia, the Black Sea, the Bosporus, the Sea of Marmora, the Dardanelles, the Aegean, Ionian and Adriatic seas. Unfortunately at that time there was a wide-spread and firm conviction that portions of the earth shown on the map by colored border lines were inhabited by peoples corresponding to the given designations: England by the English, France by the French, and so on. Turkey, of course, whether in Europe or in Asia, was to the common mind inhabited by Turks. This conception, being utterly, radically false even then, has, like similar deceptions, persisted into our own day and still works immense harm. To those who constitute the overwhelming majority of western nations, Byzantium and the migrations of peoples in eastern Europe are matters either of the vaguest knowledge or, more commonly, of total ignorance. They are not aware that Turkey in Europe, entire, and Turkey in Asia, in part, are populated by peoples who, whatever they may be, are not Turks at all, having no slightest relation with their masters in blood, religion, institutions or aspirations. The human creature who boasts himself the plain man—the man on

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the street, who babbles about anything and everything and forms the self-styled public opinion with which intelligence is in perpetual warfare—this person of the majority says: Why of course the Turks should have Turkey; certainly; what business is it of others to meddle with a man in his own home?

Home, indeed! The beneficent occupation of a land makes it a home land. The discovery and settlement of a misused territory makes it a home. We could even think of a home which had neither been conquered nor discovered, nor within historic times settled and occupied beneficently or otherwise, but which was merely a landful of people who had always been there. On the other hand, the commercial and political adventurer has no home where he dwells; the administrator of a trading factory has no home therein; the herdsman and nomad has no home in the wilds over which he roams. Even the great colonizers of the present world speak lovingly of England as home, though often they have made a wilderness to blossom a land to yield up its wealth, have founded a nation and established permanent, beneficent settlements. The idea of home is most complex, and in none of its many ingredients could it be tangential to the relation in which the Turks have stood to Turkey. They were not even conquerors, for the edifice they overthrew was already crumbling. When they occupied the Byzantine Empire they merely pitched their tents in successive camping places, wandering westward until, a little more than two centuries ago, they reached the walls of Vienna, where they met the first virile foe they had seen and were turned back. With certain oscillations they have been wandering backward ever since, slowly and steadily withdrawing under a rather gentle compulsion. They have withdrawn because others have exploited the lands which they occupied but never reduced to possession, from which they skimmed the surface opulence, while furnishing no sustenance to the processes which produced it. If the population of what is still called Turkey in Europe be, as is likely, about six millions, less than a third are Turks; and in those vast regions once under Turkish sway, the lands of Greece, Bosnia, Herzegovina, Servia, Bulgaria and Roumania, there are virtually no Turks at all. They can live

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only as they find dumb, servile human cattle to herd, drive and slaughter. They are a stock which came from the upland steppes of Asia; they are careful now as always, when possible, to bury their dead across the Bosporus in the soil of Asia. From Asia they came, to Asia they return with little regret; and being a totally unhistoric people, it is doubtful whether centuries of European abode would in their future tradition be much more than a tale of Scheherezade.

Of primitive folk-stocks the Turk has retained nearly all the virtues, and they are many—so many as to make a normal Turkish gentleman a most agreeable and even lovable person. With his womankind uncontaminated by western notions; with his faith in Islam—a faith not native but acquired and inherited—undisturbed either by Arabic mysticism or occidental casuistry; with his pride of official rank and garb fully gratified or with scope for his unquestioned and oft-proven ability as a soldier, the Turk exhibits many fine qualities. It matters not that his salary as an official is never paid; there is the land of Baksheesh always open. It matters not that the shelter which we call his house is bare, rickety or in disrepair; is he not naturally a dweller in booths or tents? It matters not that his towns are filthy and unwholesome, that disease and death stalk abroad; his hour will strike only when fate ordains, as it would anyway. It matters not that there is plenty to-day and want to-morrow; such are the vicissitudes of life. If it rains, we are wet, that is all, but if the sun shines let us enjoy it; when battle is raging let us fight too, so Allah wills, and so on through the long range of human conditions and conduct. To apprehend a resignation that verges on apathy we must reverse almost every concept we have; in order to understand and do justice to the Turk, we need a fourth dimension. He is our antipodes. But he is domestic, hospitable within his possibilities, companionable, interested in you and in such life as touches his interests; he has a dignity, a repose, a pleasant way which are delightful. Above all, strange as it may sound, he is the most tolerant of all human beings. There are in Turkey more faiths, sects, denominations and religions, more license in profession and behavior, than in any other territorial expanse of equal

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size. If only the adherents of these various cults pay, often and enough, and if only they do not in act, word or precept subvert existing rule and order, nothing else matters at all. Islam is the most democratic of all natural religions; there are no orders, no priestly intermediation, no governors, no hierarchy of any sort. The naturally independent temper of the Turk is thus confirmed by his faith. There is the caliph, the padishah, the embodiment of theocratic power; and then there are all the rest, exalted or humbled, enriched or impoverished, preserved or destroyed, kept alive or killed, regulated in every relation of life by a power and conditions that affect all alike; birth, inheritance, fealty, no such mere accident counts in life at all. Tolerant and democratic—both in a contemptuous sort of way—the Turk is also in ordinary life a kindly, gentle soul. His women-folk are under no compulsion or discipline, he is generous to the very utmost; his slaves are scarcely aware of their bondage, so easy is the yoke. With divorce dependent upon his whim and accomplished by his own unfettered will, the rearrangement of domestic relations is so easy that social conditions are scarcely disturbed. A disordered mind makes its unhappy owner a public charge; beggars are humored, tolerated and supported by alms, especially the halt, the maimed and the blind; the dogs of Constantinople drive ladies from the sidewalks and make vehicles swerve by their sluggish inertia. Easy indifference and a liberal soul combine to make Turkish life a thing apart; a sort of genial inefficiency permeates it all. Yet beneath it is the volcano of indiscipline. Guile and the oiled feather first; then, if thwarted, fury and recklessness. Smooth promises with perpetual delay; then performance under compulsion with the Parthian arrows of atrocious bloodshed.

Some such characterization, however imperfect, is essential to any grasp of the first principles of Turkish rule. In the apogee of its extent and greatness, those who immigrated and seated themselves as the mighty were in a minority, as were the conquering Teutons in the western provinces of the Roman Empire. In the exercise of a fanaticism both physical and spiritual, they simply took what they found. The people on the soil were

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reduced to a dead level of peasant boorishness, the ruling class stripped land and people of all they dared to take without destroying the wellspring of supply.[1] The arbitrary childishness of Turkish behavior to-day is probably a fair sample of what it always has been. After years of contact with western ways they have, to be sure, acquired something of European shiftiness and duplicity, but it has served merely to strengthen their own naïf rascality. My dragoman tells the customs inspector not to tumble the contents of my trunk; the police inspector discreetly turns his eye another way; the trunk is closed, and in a few moments the official comes trotting to receive his "gift," which he divides with him of the blind eye. This is the whole system in miniature: the feint of honesty, the practice of roguery, a pretence of knowledge, the crassest ignorance in fact. The Ottoman Empire has army, navy, police, treasury, foreign office and all the paraphernalia of administration, internal and external. From beginning to end the whole machinery is an empty form, a mill that grinds no grist; and the palace clique or camarilla or kitchen cabinet, or a harem intrigue or the sultan's wish determines the course of all affairs. The Parliament met once, was adjourned, and for the ensuing thirty years has never met again. It was not prorogued, it was merely adjourned; and so there is a constitution and a constitutional monarch—in name, as is all the rest. Warships float, but no one would risk the firing of a gun on board. When the United States grows restless in the demand for an indemnity due for the destruction of American property, a cruiser is ordered from some American shipyard; it arrives and anchors in the Golden Horn, where it ends its days in peace; the published price contents the Turks and seems, somehow, to cover the indemnity to us.

As is well known, the sultan, caliph or padishah, as he either styles himself or is styled, rarely leaves the enclosure of his royal borough, known as the Yildiz Kiosk. Within its carefully guarded, spacious enclosure, in its palaces and gardens he

[1] Just who and what these invading people or peoples were, just who and what the settled peoples were, it is not easy to determine.

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abides. Thence he reigns and rules; and, claiming to be the successor of Mohammed, he performs public worship at the ceremony of the selamlik in a pompous procession and recession to the near-by mosque he built for the purpose. Impressive as a spectacle, the selamlik is also impressive as a historic act; for in it Abdul Hamid appeals to the millions and millions of Islam as perpetuating its power and its system. He has not a single attribute which entitles him to arrogate the headship of Islam to himself, and millions of the faithful refuse their fealty. But many millions more passively accept his lordship and admit the sanctity of decrees issued by his religious viceregent, the sheik-ul-Islam. It was therefore an awful thing when a miscreant found his way into the very heart of Yildiz Kiosk and, during the selamlik, flung a bomb, the dastardly weapon of anarchy. But the thing did happen, and the momentous question arose as to how dynamite had been smuggled into the empire. What actually occurred sounds like a joke; but with a few other examples it may serve, being a fact, to illustrate what manner of men still rule at Constantinople. For years a British merchant had been importing and selling fireproof safes. A new consignment was in a ship just arriving. He was summoned to the customs stores to "open" them; for a wily official had guessed and suggested that the dreaded explosive had been concealed in these safes, and that more might be found in the newer ones. The owner appeared, glad to comply, and threw open wide the doors. The matter was not so simple; "opening" meant displaying the packing between the steel walls; and so with sledge and chisel the whole consignment was destroyed, and there was no redress. The familiar finance where the lender gives fifty and the poor, eager borrower writes a hundred in the bond was long employed by the great usurers of the West when Turkey wanted a loan. Neither principal nor interest being paid, a result foreseen by the original parties, the various countries of Europe intervened in Turkish finance to "readjust" the debt for the creditors, a class of unsuspecting investors upon whom the obligations had been unloaded by the negotiators. So there exists in Constantinople a board composed of highly paid gentlemen, all but one from

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the West, who take a certain proportion of the customs into their own hands for paying interest and refunding principal. Compared with those in our own Utopia, the customs dues in Turkey are (or rather were) trifling, averaging about eleven per cent. To the Porte, looking abroad at the triumphs of protection elsewhere, it seemed desirable to fill the official purses by raising the tariff an average of three per cent more. There was a mighty deliberation in all the state departments of the Occident. At last the measure was permitted, since the coffers of the commission in charge of the public debt would also profit thereby. But many, many papers must first be signed in the ends of the earth before the law promulgated by the sultan could be operative. The ambassadors of the western powers deliberated day by day on the administrative measures. Meantime the sultan received an invoice for glass-ware purchased in France, and to be used at Yildiz. No duty of course was to be paid on that. A high official, chief of the secret police, was sent to enter it. His mission was promptly and successfully discharged, but not merely his original mission: the great man, finding at the receipt of custom a large amount of money which the collector had received in the regular way for dues, carried off not only the imported service of glass-ware, which was his master's, but the money, too, which was also, as he considered, his master's, and was moreover greatly needed at Yildiz. The news of this characteristic behavior swiftly reached the meeting-place of the ambassadors; and Sir Nicholas O'Connor, who was the latest signatory of the new tariff, hastened to the wharf and, finding the news true, at once withdrew the precious sign-manual which gave British consent. Consternation seized the high officers of his Ottoman majesty: why such supercilious behavior, such needless fuss about details? But they yielded, and the vital negotiation was at last concluded, with administrative arrangements to preclude the repetition of such naïf proceedings by Turks in Turkey. Why multiply instances? A professor entering Turkey from Greece has his Persian powder confiscated as an explosive; a trading firm sending into Asia Minor for eggs is suddenly confronted with total loss because, while the permit for eggs is correct, that for wood,

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the material of the cases, is not. And so on and so on. It is vital that the degrees granted by the American school of medicine at Beirut should have official sanction. No trouble whatever to get the imperial decree; but the members of the commission are Turks of rank, and as such may not easily pass from place to place. Every year it is a matter of complicated negotiation by the American ambassador to secure for them the right to proceed on their official business, for which they have been duly and legally designated by their august and all-powerful master. It is very hard to believe that the machinery of oriental government is as simple on the surface or as intricate in its workings as it appears merely by reason of incapacity. The subtle oriental mind finds its account in its efforts, or apparent efforts, to apply worn-out schemes to new conditions. At any rate Turkish rule has survived expectation by half a century, and it is its very absurdity which seems likely to perpetuate it indefinitely, with the aid of a more or less perfidious rivalry among the great powers of the West.

Comprehension of the oriental question by western peoples is further impeded by their total failure to grasp the meaning of current terms, in particular the terms "nation" and "Christian," as employed in the Balkan peninsula and in Asia Minor. There are large numbers of Europeans in both: some are there for religious purposes, as missionaries, others for purely secular reasons, chiefly commercial. While there seems no real hostility whatever between these two European groups, yet they see things from a different angle and have widely varying opinions about many things. The latter class, with no exception, as far as known to me and several other travelers whom I have consulted, considers the ruling Turk vastly superior to the so-called Christian peoples over whom he rules. Appearances are that way. In general a tyrant, whether patriarchal, theocratic or merely personal, is more human than those whom he oppresses. The Ashkenazi Jew, so called, whether he be really an Israelite or not, which is doubtful, when first emancipated from the horrid cruelties inflicted on his race in central Europe for centuries, continues, sometimes for a generation or two, the unpleasant practices by which he mitigated his bondage; but

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he finally becomes as little of a presuming parvenu as men of other blood, and as often exhibits the highest virtues of social life. This example is all around us. The subject populations of Turkey were and are styled rayahs; age after age they have been held in bondage, sometimes easy, generally most oppressive. Bond slaves find the practice of noble qualities extremely difficult. Some rayahs kept the faith of their fathers, others sought to mitigate their hard lot by professing Islam. In all the provinces once or still under the sultan there are some Mohammedans, and in a few there are many, who have not a drop of Turkish or Arabian blood in their veins, being pure Aryans or Japhetites or Javanes or whatever adjective best describes them. In Herzegovina and Bosnia together they number about half a million. Though most carefully and considerately treated, they demand that their religious head shall be appointed from Constantinople, thus refusing incorporation in the Austrian system. The Mohammedans of Asiatic stock, Turks or Arabs, have mostly returned to the land whence their fathers came. The question of superiority can therefore be answered only by comparing those who were once rayahs, but are now independent self-rulers, with those who still rule in unemancipated lands, rulers with rulers. Of the result in the case of Bulgaria and Roumania there cannot be a question. Bosnia and Herzegovina are under Austria's iron hand; Servia, though longer practiced in liberty, inherited peculiar conditions and has once horrified the world by the outburst of her unbridled wrath against a faithless king. The European peoples once subject to Turkey are therefore not of necessity Christian either by profession or practice, however widely they differ in many respects from the Turks. Moreover they designate themselves as nations, using that word in a sense of their own: a sense similar to that in which it was used in central Europe during the middle ages. Nationalities would be a better word.

It is sometimes and rather cleverly said that America is New Europe. In whatever respects that may be true, in one there is an antipodal contrast. We are busy making, out of many widely different elements, a great nation, unilingual and homogeneous. Europe, having passed that way in the unification of

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France, Germany and Italy, is now returning on its footsteps, and the passion for little nationalities is exhibited on every side. We are all familiar with the Irish question; we note with wondering interest the revived study of the Celtic tongue in Great Britain and the emphasis on institutions of another age. In Belgium the Flemish stock struggles for its language as never before. In Provence the revival of Provençal literature, so long cherished, is now followed by a blind struggle against total assimilation and by a demand for a measure of local independence in the interest of local industry. Throughout the Austro-Hungarian monarchy everyone of the eighteen or more petty nationalities is asserting its right to live for and rule itself. The question of Sicily gives the house of Savoy at Rome much to consider, and separatism in the German Empire furnishes themes for its journalists. Everywhere on the continent of Europe it is the same story, while simultaneously there is a growing nationalist agitation both in Egypt and in India. This is the movement which brought Roumania, Bulgaria and Servia into a more or less independent life; it is the movement which is still surging throughout Turkey in Europe and has created the now burning question in Macedonia, whence comes as of old the bitter cry: Come over and help us.

There is no use in describing the whole stir and struggle for nationality as senseless, a common designation which perfectly describes it to many minds. It is not senseless; the agitation is real, has produced vital results of a constructive kind and at this hour underlies outbreaks of bloodshed and horrid cruelty in lands that are fair, among people who are innocent, capable and urged onward by noble instincts. The dispersion of peoples each with its own language is represented in the Scriptural account as a curse laid on men for high treason against Almighty God. Europe is doing its utmost to perpetuate the curse and make it lie heavy on millions of innocent men. Were science and its votaries modest, did theories affect the academic world solely, small harm would be done by self-appointed teachers. But ill-considered, unproven doctrines, by dint of iteration, are made to succeed each other as accepted rules of human conduct. Among many others the theoretical reconstruction of

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the Aryans, of the Turanians and of the various subdivisions of the same has been distorted from a useful hypothesis into a maxim of moral guidance. Out of it have sprung the baneful all-Slav, all-German, all-anything movements: devices one and all of dynastic land-grabbers eager to use an unselfish and romantic sentiment for their selfish ends. No man knows at this hour what is a Greco-Roman, a Celt, a Teuton or a Slav. The philologists know the languages and language groups, but no man of standing has ever dared assert that the use of a language proves the blood in the veins of its user. The movements of peoples, the origin of races, the transitions from type to type or the persistence of type—all these are mysteries. But men behave as if they were as concrete and usable as the multiplication table. In western Europe there were types so strongly developed that at least there was some excuse for the common error. But when the doctrine spread eastward into less educated societies, it began to work and is working havoc with the gains of civilization. To use among such men and women phrases which contain the words, "nation," "people," "patriotism," "history," *etc.*, is to sow the whirlwind. When we read that the Roumanians are Latins; that the Bulgarians and the Servians are Slavs of different nationality; that Macedonians are Bulgarians or Servians, according to the opinion of this or that writer, or that they are Greek, as Greece contends, we get the common coin of diplomatic exchange; but it is spurious and counterfeit if passed as historical truth.

There was little interest as to the nationality of the rayahs while Turkish rule was strong. They were nearly all Christians of the Byzantine type, those in Europe at least, and were hence regarded as one people, for oriental theocracy cannot conceive of nationality apart from religion. They themselves knew the differences in their origins and in such traditions as they had: some were Slavs, some Vlachs and some Albanians; some had the blood of Trajan's legionaries in their veins, whatever that was. But they felt more deeply than they thought; the hardships of their common lot and the common worship of their church gave them a stronger sense of unity than of disunity; they were all non-Moslems, all rayahs, and in a sense all Greeks.

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Moreover among the most useful servants of the sultans were the old Greek Byzantine families who lived at Constantinople in the quarter of Phanar. These Phanariotes were invaluable as administrators and diplomats; resourceful, guileful, smooth, elegant, refined; and for their precious services they received great rewards. They were the Greeks *par excellence;* and, running to and fro within the empire, to and fro without, they impressed upon all that if there were a second race destined to restore the empire of Grecian Rome, they, their coreligionists, those who spoke their tongue, were the people. Hence within the memory of men still living it was the general conviction that a greater Greece would one day hold all Turkey in Europe, and that the light of Greek civilization, rekindled in Attica and on the Peloponnesus, would shoot northward to enlist the whole Greek church within Turkish boundaries in the "great idea," to wit: the restoration of Byzantium in new and regenerate form. This is still the great idea of that portion of Turkey first to be emancipated, namely the present kingdom of Greece, whose inhabitants speak a renovated Greek or Romaic, live on the ideals of ancient Greece and have with set purpose forgotten the Albanian, Slavic or other blood that flows in their veins. Coming from the West, travelers differ widely about the advance of modern Greece in western civilization; but one familiar with the Orient and coming to Greece from that quarter realizes the enormous progress which the little population of about three millions has made in unifying, elevating and purifying itself for the task it has set itself. So far the Greek government has made nothing but tactical mistakes, and Greece has gathered no fruit from her national regeneration. But she bides her time; and the agitations among the Christian populations still left to Turkey in Europe are attributed in large measure, and in all likelihood correctly, to supplies of Greek men and money.

What and who are these modern Greeks? The most skeptical investigators admit that in most of them is some blood transmitted from ancient Greece, and that there is a proportion of Greek descent in Greece about equal to that of Anglo-Saxon descent in America. For the rest the modern Greeks are either Albanian or Slav or Vlach. Beside

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the Greeks in Greece there are other Greeks who far outnumber them. They are found on all the coasts of the Ottoman Empire; Crete and the other islands nominally or actually under Turkish sovereignty have no other inhabitants important in numbers; they are numerous in Asia Minor, in Syria and in Egypt. That they have a national type and a national character is undoubted, and they estimate their numbers at nine million. A certain rather small proportion in Asia and Crete are fanatical Moslems; of these many use the Turkish language written in Greek characters. But for the most part these Greeks are faithful Christians. While domiciled elsewhere they are passionate in devotion to the Greece they style Hellas, the modern kingdom whose people are called Hellenes; and, being masters of commerce and finance, many of them have gained enormous fortunes, from which they pour great sums into Athens particularly, but into Greece generally, for public buildings and endowments. To the outer barbarians who later deluged it, the East Roman empire, Greek as it was in speech and character, was known as Rome or Rom or Rum. The language spoken there has never ceased to be spoken. After eighteen hundred years of devolution or evolution, according to the point of view, it is still spoken by these millions, and, for the reason just given, it is by them called Romaic, to distinguish it from the Hellenic, which means either pure old Greek, or the modern written language of educated Greeks in Greece, a language really renovated and cultivated by enrichment from classical Greek. In this remodeling, modern Greek resembles modern Norwegian. The passion for nationality, equally strong in the extreme northwest and southeast of Europe, has in both had recourse to the same means for securing apartness and distinction.

At first sight it seems very curious that the national costume of modern Greece was adopted or adapted from that of a stock not Greek at all, a little folk the most remarkable of the European continent, *viz.* the Albanians, a people, as far as we know, absolutely without any affinity whatsoever with any other, whether of race, speech or institutions, still using the oldest known European language, retaining, without unity of religion, habitat

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or manners, a unity of nature, appearance and character which sets them absolutely apart from the surrounding populations, with whom they mingle freely but do not coalesce. The explanation is that in a high sense they are the makers of modern Greece. Their name was given them by the ancient Byzantines. They divide themselves into northerners and southerners: Ghegs and Toscs. The former number a million or more; they are about equally divided, confessionally, between Roman Catholics and Mohammedans, these latter being the aristocracy; they are haughty and exclusive, living like highland clans in their mountain fastnesses. The Toscs, on the other hand, entertain many Greek and Vlach settlers within their territory and mingle freely with their neighbors. The Ghegs have furnished the two national heroes, Scanderbeg (+1467) and Prenk Bib-Doda; but the latter, after brilliant feats of arms in 1881, was drawn into the service of the sultan and lost caste. While the Ghegs are renowned for their independent spirit and warlike temper, the Toscs have furnished the warrior best known in our day as a Greek hero, Marco Bozzaris, who with his Suliote band did noble work for the liberation of Greece. The Toscs number less than a million. They are partly Moslems, partly Greek Catholics. There are therefore three confessional authorities among the Albanians: the sultan or caliph, the patriarch of the Greek church at Constantinople, and the pope. But the Roman Catholics notoriously behave as they please. The obedience of Albanians to any authority is dubious. They defied the Congress of Berlin, refusing to Servia and Montenegro the districts and towns of their land assigned by that august body to those states. They prefer the slack rein of Turkish rule, and for them that rule is hardly more than nominal. Now and then an army from Constantinople has bested them for a time, but they are restless under control and make trouble when they are not left to themselves, as is the case just now. They are superbly built, active and enduring, ready alike for peace or for war, with excellent qualities of heart and mind. Roughly, the territory they assert as their own corresponds to the Epirus of ancient Greece; and it is needless to say that learning and culture have made no greater progress in this province than they had in the days of King Pyrrhus.

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But if modern Greece owes much to the Albanians, it seems as if her ambition were quenched, her destiny thwarted, by the rejuvenescence of another folk-stock which is not even approximately indigenous but within historic times has come from afar. It is called Slavic because it uses a Slavic tongue, a language which the immigrant nomads brought with them and gradually forced upon populations which had known Roman culture. These populations were in a measure Aryan, that is, related in speech and structure to other Europeans, but with them was intermingled generously a middle Asiatic race called Bulgars. These elements gradually melted into one stem, which now comprises Servians, Illyrians, Croatians, Bosnians, Herzegovinians, Montenegrins, Macedonians and Bulgarians. The two districts of Moldavia and Wallachia, which form the present kingdom of Roumania, successfully asserted themselves against the wandering hordes of Slavs, retaining their Latin speech and keeping their Roman-Moesian blood fairly pure. Surrounded on all sides by Slavic-speaking peoples, they have not escaped Slavic influences in vocabulary and social qualities, but they are as pure a race as any other, not a recently mixed one, as are Turks, English, Americans and their own Bulgarian neighbors. All these strata of the same mass were in one way or another brought into the fold of the Greek Catholic church. After the fall of Constantinople certain of their communities became Moslem; and in both Servia and Bulgaria, even in Bosnia and Herzegovina, they so remain, although, as has been told, they exert no important influence. Iteration makes impression, and it cannot be too often repeated that in important times and places creed has determined nationality to the exclusion of all else. It does so still in the disdainful Turkish mind, the millet or faith unit being likewise the Turkish unit of administration. Thus for ages all Greek Christians were considered as both an ecclesiastical and a political unit. The Slavs of Turkey have been the intermediary through which the antipodal conception has prevailed and language has been substituted for creed as the test of nationality. Bulgaria is struggling to emphasize slight differences—differences which seem negligible to curious outsiders, such, for example, as the place of an

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article, or rather particle, prefixed or suffixed, or the use of old Slavic in the service book of the church, or the designation of an ecclesiastical overseer as exarch instead of patriarch—not only struggling but almost exhausting itself in the struggle to make these serve as a sanction for a nationality ambitious to control the Balkan peninsula. In this the un-Aryan, central Asiatic origin of the people reveals itself: the tribal concept is a stirp which, running under the surface, sends up hardy shoots at unexpected intervals. The notion of a nationality based on both language and creed Bulgaria has absorbed to the exclusion of every other; Servia, on the other hand, emphasizes blood and social institutions as the basis for determining nationality. It too has a national church; but the Servian church recognizes the patriarch at Constantinople as superior to its own hierarchical head, while the Bulgarian church stops with its own exarch and knows no superior.

Hence all the woes and sorrow and cruelty in Macedonia. This situation has indefinitely postponed the restoration of New Byzantium, the erection of a Greek imperial structure with its administrative centre on the Bosporus. Its immediate result, however, is the heart-breaking situation of the people who dwell in the vales on the southern slopes of the Rhodope mountains. The population of Macedonia is even more heterogeneous than that of the lands east or west. Here are all the Slavic stocks, or rather here is the collective stock, for the lines of division are most uncertain: some Macedonians tending toward Greece, some toward Servia, some toward Bulgaria. Moreover though their language is sufficiently unitary, yet agitators and propagandists note the slightest local differences as a basis for determining whether the communities be Serb or Bulgar or possibly Greek, for in some of the communes a Romaic vocabulary beclouds the origin of the stock. The individuals thus differentiated are not very firmly anchored in what they call their nationalities: a Bulgar of the exarchate, for example, who finds difficulty today in understanding the neighboring Serb of the patriarchate, may for an adequate consideration be Serb or Greek tomorrow. The situation may at any moment be reversed by a change of conditions, and the change

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is sometimes kaleidoscopic. The Sublime Porte has again and again promised such reform in the administration of Macedonia as will secure stability and peace. It will promise anything the powers demand as often as they demand. Why not? There is no intention of performance, and there would not be the slightest possibility of performance even if there were the best possible will. Beside the Slavs, Servian or Bulgarian, the Greeks and the Albanians, there is a great contingent of Vlachs, some in Epirus, some in Thessaly, many in Macedonia. These mysterious people claim to be Roumanians: they speak a Roumanian dialect, strongly impregnated, however, with words and constructions taken from contiguous peoples. They are industrious and thrifty, but they are scheming and are regarded with anxious suspicion by their neighbors. On the questions which so agitate the world around them their attitude is enigmatical; but, like all the rest, they are far from resigned and obedient to Turkish rule in any degree. In the main they, like the Albanians, lean toward the Greeks, although, again as in Albania, there is a minority party otherwise disposed. Although widely different in habits, some of them living in villages while many are nomadic herdsmen, there is no question as to their essential unity.

This distracted country, therefore, is almost an anthropological museum; only, the specimens are shown in a chaotic mechanical mixture, not in orderly arrangement. Encouraged by the examples of the three Danubian kingdoms, and especially by the experience of that anomalous portion of Bulgaria known as Rumelia, which fell off from Turkey with no battles except those of words, the natives of Macedonia long for deliverance, for entrance into the promised land of self-administration. Over the borders there are Servia, Bulgaria and Greece, all beckoning, all lusting for increase of territory, wealth and population. Of the three Bulgaria has so far the advantage. It began to woo soonest; its language has certain suffixes like those used in Macedonia; it has a church using Slavic in its service and taking no minutest direction from the Turkish capital; and, above all, it has, in the year 1908, an army of high morale, thoroughly equipped and drilled, quite ready for a coup

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like that which made Rumelia Bulgarian. On the other hand Greece has the money; and those who know Macedonia best declare that most of the agitation is due to unscrupulous bands that are half bandit, set on foot and supported by Greek cash. Servia keeps her movement of agitation going, but her home affairs are a serious detriment to her ambitions. At the present moment the ablest Servian writer is contending that there are in Macedonia lines of division, racial, territorial and linguistic, and that the rivals should end their rivalry by a tripartite division, each taking its own. Meantime Turkey, the one most accomplished opportunist in politics, has really nothing to do except to foment race hatred and division between Christians, continuing as of yore to collect heavy taxes where resistance is either spasmodic, unorganized or thwarted by the internal dissension of the communes. There is cruelty and bloodshed and anarchy; the nominal administration probably abets it all, certainly does not stop it; but the prime movers are the agitators, either native or imported. As was said before, Turkey could not keep a single promise of reform if she would, and would not if she could. *Divide et impera.* The Servian bands, the Bulgarian bands, the Greek bands may enter Macedonia and work their will on the natives and on each other; the Turk still collects his taxes, and possibly all the more easily because of the unrest and recurrent anarchy.

The sultan appears to understand fairly well the game of European politics. Such extraordinary performances as take place within the Austro-Hungarian empire can not escape his notice. German against Slav and Magyar, Magyar against Slav and German and Roumanian, dire dissensions even among the Slavs themselves, all in the sacred name of church or nation or language or race or whatever it may be—such a mess of centrifugal forces apparently does not make an Austro-Hungary very strong for external affairs. Yet the destiny of the "eastern realm," which is what Oesterreich means, is in the minds of many both without and within it down the Danube. Russia is never idle in the use of Pan-Slavism for her purposes, and by far the largest number of inhabitants in the Danube valley are Slavs. There is a Slavic society, claiming an immense mem-

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bership, of which the president is a Roman (not Greek) Catholic Russian general, continuously wooing these populations in Russia's interest. Its agents fulminate in books and papers against the sorrowful effects of the "sauerkraut and sausage" civilization forced by Austria on the longsuffering Herzegovinians and Bosnians. Then there are the three quasi-independent kingdoms, which heartily detest one another, but would probably federate against either Austro-Hungarian or Russian predominance in the Danube valley and their peninsula generally. These are the nearer cares of Sultan Abdul Hamid, but he prides himself on his intimate acquaintance with the international jealousies of the powers further west, being firmly convinced that the very existence of Turkey in Europe since 1877 is due to his tact and nice discrimination. He is keenly aware of what public opinion in the West can accomplish and of how it is formed. But he is convinced that, constitutional government being everywhere a name and a form, the true Turk is less of a hypocrite in his absolutism than the head of any monarchical democracy.

Abdul Hamid himself is a contradiction, utterly inconsistent and incomprehensible to the western mind and likewise, as far as our information goes, to the oriental mind. On the one hand his interest appears to be mainly European, and he makes on occasion a great show of the very slender western culture which he possesses. He musters all his charm for those who represent the West, makes desired concessions with the most gracious manner, appoints the friends of his friends to pleasant and lucrative positions in the Ottoman service, emphasizes the position of his empire as a European state and carefully attends to the question of alliances. After having been, as was his father, almost under the tutelage of Great Britain and her remarkable ambassador Lord Stratford de Redclyffe, after having vented his bitterness upon her ambassadors when Egypt was occupied, he has concluded that Germany and the German emperor are most likely to perpetuate his power for a few years over what is left of European Turkey. Yet, for perfect play in such a game, much is needed which either wilfully or ignorantly he leaves undone and does not attempt. His true life is

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in the other and true side of his character. Privately he is most attentive to the Moslem traditions and to the practice of polygamy; and the seat of Turkish power is under his tarboosh, not in the divan of his ministers nor in the great administrative departments, whose palaces form a feature of the capital city. In the place and almost to the exclusion of the anxious patriot proud of Turkey's past, eager for her well-being and desirous to reform a rotten administration, there appears from time to time the wilful, impatient, crafty, timid tyrant of oriental tradition. Mewed up for all the days of the year, except perhaps half a dozen, behind the enclosures of Yildiz, he makes all his public appearances in connection with the faith and practice of Islam. Though his ultimate fate depends on the Occident, his prestige depends on the Orient. He has not a single claim to be caliph, being neither Arab nor lineally descended from the prophet nor chosen by the Mohammedan world; yet by dint of assumption and agitation he is so recognized by a majority of the orthodox. The Shiïte Persians of course loathe the Sunnite orthodox, whether the sultan be caliph or no, because they prevented the just succession of Ali the prophet's son in the caliphate; but the agents of this usurping Turk are found everywhere else throughout the Moslem world working in the interest of Pan-Islamism, with the sultan as caliph and recognized head. In India, Central Asia and China, in Java and in Africa, even in southern Russia, they move the faithful to enthusiasm for the sultan as the successor of Mohammed. This is his anchor to windward, and it gives him a strong mooring. It is not forgotten by him that both Great Britain and France have innumerable subjects, fanatic Mohammedans, who would see in violence or even in a slight to the sultan a sacrilegious act against their cherished faith. It is for this reason that the weekly prayer which Abdul Hamid makes in his own modest, personal mosque of Yildiz is the occasion of a ceremony, alike military and religious, devised and performed to impress the whole world of Islam. In this half-hour's performance he is not the exquisite European who has traveled, who knows men and lands, who identifies himself with the general welfare of Europe and the West; he is the theocratic ruler

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over the fate and fortunes of millions upon millions of the world's elect, who alone have life, light and immortality, who are sure of a world to come which dwarfs to vanishing the world that is. It is trite to observe that no man can be double, no man can be the inscrutable Asiatic despot and the genial constitutional ruler of the West; yet during the selamlik, surrounded by a living wall of choice troops thousands in number, he makes his effort at the former rôle. As the fine equipage dashes past the visiting tourist who has secured admission to the enclosure by the kindness of his ambassador, there is seen, sitting on the front seat, facing his sultan, the highest official of the empire. In the place of honor is a man of purest Turkish type, with curtained and mystical eyes, prominent nose and full mouth, with hair and moustaches dyed a blue-black, with square shoulders that feel the weight of care, suspicion and craft, but bear it doggedly —a man who claims from the nations, peoples and tribes of the empire the obedience due an absolute master, from all Mohammedans wherever found the reverence due to the representative of the prophet. The onlooker gets but a glimpse, of course, but it is a most impressive moment. In the devotion of approach to the throne of Allah the padishah sits impassive as the imperial coachman urges the splendid steeds; when he emerges from the house of prayer the sultan takes the reins in his own imperial hands, while his well-trained horses whirl him and his two attendants back to the palace and the harem.

This is the last of the contradictions to be noted in regard to Turkish rule. Viewed logically in the light of homely common sense the maintenance of such a system seems utterly preposterous. When it is realized that Christians, of churches both historic and schismatic, are oppressed by unbelievers, that the holiest spots of Christian ground are in the keeping of infidels, that savagery and barbarism are fostered and perpetuated and hideous cruelties practiced throughout this empire, that day and night the cries of the innocent, outraged and brutally murdered ascend to heaven from lands otherwise beautiful and prosperous, and that all this goes on under and by virtue of European guaranties—no wonder that earnest men and women throughout Christendom assail the ears of their rulers and cry in despair:

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How long, how long? This, however, is the obverse of the shield; the reverse is quite different. Whatever was the case a few years since—and no one now doubts that Turkish soldiers were then the criminal brutes—to-day everything is changed: the brigands of to-day, who render Macedonia a hell on earth, are outlaws, supported and instigated by the self-styled "patriots" of one or other of the three bordering Balkan states; while, under pressure from the European concert, Turkish troops make some outward show of repressing the disorder. Time and the chapter of accidents are the last resource of European statesmen regarding Turkey in Europe. It is vital to peace and the balance of power elsewhere that the realm of the sultan should be kept intact. Were the four Balkan states permitted to wage open war for the possession or partition of Macedonia, the area of desolation and oppression would be indefinitely extended in time and space. Yet their clandestine war has no other end or aim. The atrocities of Macedonia, it must not be forgotten, are the work of Christians, determined to force either European intervention or a Balkan war. In the summer of 1907 the Porte declared officially that it knew of a hundred Greek bands, each numbering thirty and upward, financed by an Athens committee and commanded by Greek officers in disguise. The Serbs bring similar charges against Bulgaria and *vice versa*, with Greece reiterating like indictments against both. Europe can risk neither horn of the dilemma. The foremost interests of the West in the Hither East are commercial and missionary. Both are jeoparded by the possibility of any other rule over Turkish lands than the misrule which exists. The Slavic ideas of nationality do not include missions, either Roman or Protestant. Under the present régime these missions have a certain standing and protection. And no sooner is a new state organized than the commercial door, open under Turkish control, is closed in the face of all the great trading nations, to be opened only on the basis of preference in some form or another. England, America and Germany, therefore, have every selfish inducement to reform and perpetuate rather than to revolutionize the existing system, not only of Turkey in Asia but of Turkey in Europe. If the worst came to the worst, trial might be made

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in Macedonia, as it was made in the Lebanon and Syria, of a Turkish governor responsible to the powers through their ambassadors at Constantinople. Of course this is the assumption of almost complete responsibility, but it is preferable to opening the sluice-ways of international rivalry among the Balkan states.

These states, Roumania, Bulgaria, Servia and Greece are, as has been remarked, most interesting political specimens, well worth a careful study as instances of the past in the present, of peoples working out in the twentieth century and in the Orient problems almost identical with those which occupied the West some two or three centuries ago. Neither individually nor collectively are they ripe to assume any further obligations than the weighty ones which now oppress them. Their primitive conceptions of finance and administration, above all of international relations, indeed even their rudimentary notions of what a state and a nation is, must one and all be enlarged and matured by experience. They are not ready to solve the world problem of Constantinople and determine the destiny of the Levant.

W. M. SLOANE.

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REVIEWS

Grant, Lincoln and the Freedmen. By JOHN EATON, in collaboration with ETHEL OSGOOD MASON. New York, Longmans, Green and Company, 1907.—xxxviii, 331 pp.

There is something altogether winning about the tone and temper of this book. General Eaton seems to have been a singularly amiable character; and Miss Mason's eminent qualification for her share in the work is clearly revealed by the biographical sketch of Eaton which she prefixes to the volume. It is very rarely indeed that one finds in a book describing the achievements of a Northern participant in the Civil War so valuable a suggestion as that of Miss Mason in this passage:

> The call of our national patriotism, let us hope, is beginning to be uttered in tones, on the one hand less pharisaical, and on the other less resentful, than was wont to be its quality not many years ago. Especially perhaps at the North is there a just revolt against the tinge of moral patronage and of immoral self-complacency which sometimes marred the attitude of Northern patriots towards their fellows of the South. Such a revolt is altogether salutary; yet it suggests a special use for the modest record of a good man's work [p. xxxiii].

John Eaton was from 1862 to 1865 superintendent of fugitive slaves in the Mississippi Valley at Memphis and Vicksburg, and later, for a time, assistant commissioner of the Freedmen's Bureau for the District of Columbia. From 1866 to 1870 he was state superintendent of schools in Tennessee; from 1870 to 1886 United States commissioner of education; and in 1899 superintendent of schools in Porto Rico. The incidents of his career that he regarded as worthy of record in the volume are accurately indicated by the title: his personal experiences with the two great personages of the war-time and with the humble multitude of black men whose interests it was his duty to supervise in the trying transition from bondage to freedom.

The student of history will find the most useful portion of the volume to be that describing the author's work in the management of the freedmen. While the modesty of Eaton excludes much intimate personal detail, there appears nevertheless a vivid suggestion of the difficulties and perplexities of his task. It is not hard to grasp the em-

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barrassments caused by the ignorance and shiftlessness of the blacks, the enmity of the white population of the region, and the activity of the Confederate forces; but the uninitiated reader will probably be astonished to learn what serious trouble was caused by controversy and friction between the different departments of the federal administration. Chapter XII of this book throws a very interesting light on the irruption of civil influences into a sphere that was at first purely military. The benevolent despotism of the commanding general was in most respects the best possible régime for the freedmen; where it was modified by Treasury regulations adapted to the promotion of speculation in cotton, the results were disastrous.

Eaton entered the military service at the outbreak of the war as chaplain of an Ohio regiment. His assignment to the special duty of caring for the freedmen was made by General Grant, at the beginning of the movement on Vicksburg late in 1862. Cordial relations between the two men were established at this time, and continued unbroken till Grant's death. Next to the account of the work among the freedmen, Eaton's narrative of his intercourse with Grant is the most suggestive part of the volume. Incidentally to the story of a visit to Grant before Vicksburg during the siege, an exceedingly vivid and picturesque description of a Mississippi family's experience in the neighborhood is introduced by Eaton, who adds a quaint apology which does not detract from the reader's enjoyment:

> The narrative of the Shirley family has seemed to me of sufficient general interest to be reproduced here as a rather vivid picture of an unusual war-time experience. I am willing to admit, however, that my judgment in the matter may possibly be somewhat biased. . . . I afterwards married Miss Shirley [p. 85].

Eaton's record of his relations with Grant is uniformly favorable to the latter's good reputation as a man and a statesman. All the circumstances would naturally tend to such a result; for it was Grant the general to whom Eaton owed all the preferment which raised him from chaplain to brevet brigadier-general in the army, and it was Grant the president who made him commissioner of education. There is no reason to question, however, the sincerity of Eaton's judgments. He makes no pretense to infallibility or omniscience in respect to Grant's career, but merely states the conclusions formed from his own observation. The personal traits of the great general—his modesty, purity, firmness—are presented as they have been presented by other intimate friends. As a statesman Grant is held by Eaton to have achieved as

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much as any man of the same time and place could have achieved. Especial weight is given, and justly, to the policies of the two administrations, 1869–77, in respect to the Indians, education and foreign relations. While the purpose of Grant in these fields and in that of civil-service reform had in it all the wisdom and patriotism ascribed to it by Eaton, there is much less certainty than the book indicates that the methods by which these policies were formulated and promoted add luster to the president's political reputation. Especially dubious is the credit assigned to Grant for avoiding a rupture with Spain over Cuba. It is of record that a rupture was avoided only by the insubordinate act of Secretary Fish in ignoring an explicit command of the president. If Rawlins had lived, there is hardly a doubt that we should have had war with Spain in President Grant's administration.

A considerable mass of experiences with Lincoln throws practically no new light on that great president's character. Eaton was used, as others were, to procure information in 1864 as to whether Grant had political ambitions. The frankness and utter lack of reserve with which Lincoln discussed political men and measures with practical strangers amazed Eaton, as it amazed many others. Especially astonishing was the president's reply to a comment on the harmonious relations with his secretary of state: "Seward knows that I am his master!" To one who, like Eaton, had been dismayed in 1860 by the nomination of Lincoln instead of Seward and who knew nothing of the now famous incident of April 1, 1861, this remark was naturally very startling.

It was doubtless with a deliberate purpose of avoiding the narration of experiences that were in retrospect exceedingly unpleasant that General Eaton decided to pass over with but the slightest reference the years 1866–1870. During this period he edited a Republican paper in Memphis, was a member of the Republican state committee and for a while was state superintendent of schools. In other words he was a "carpet-bagger," engaged in an effort to establish a system of public education in a community whose intelligent public opinion was bitterly hostile to the enterprise. His account of his career during this period is limited practically to the sententious remark, "the task of editing [the Memphis *Post*] at that time and place was no sinecure," and the statement that the school system was abolished in 1870. One who knows in a general way the character of Tennessee politics under the régime of Parson Brownlow will appreciate what lies beyond this very summary comment and will inevitably regret that General Eaton failed to expatiate on this part of his career.

W. A. DUNNING.

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Our Struggle for the Fourteenth Colony: Canada and the American Revolution. By JUSTIN H. SMITH. New York, G. P. Putnam's Sons, 1907.—Two volumes: 638, 635 pp.

From certain quarters we not infrequently find criticism of military history as an outgrown and useless thing. To advocates of universal peace and to those whose interests tend naturally toward the industrial or the æsthetic, wars appear as events to be passed over as lightly as possible, in order that attention should not be diverted from subjects which are of real importance. Closely related to this is the claim that diplomacy and statesmanship in their higher and broader reaches are less worthy objects of attention than the daily life of the masses. This is the demand of those who insist upon a more democratic interpretation of history, as opposed to the aristocratic trend which has hitherto prevailed. That there is a certain justification for this claim no person of liberal mind will deny. All aspects of social development are worthy objects of interest to the historian. We certainly need to know —if we can find out—what the masses have thought and felt and how they have lived.

But the criticism just referred to derives much of its point from the fact that the older historians, particularly in the treatment of wars, followed an erroneous method or no method at all. They confined themselves for the most part to the external history of campaigns, together with the diplomatic fence which preceded and followed. From this the conclusion should not be drawn that wars are of little importance and are therefore to be slurred over; for we know the opposite to be true. They are great crises in the body politic, and are always accompanied and followed by results of lasting importance. They also give rise to large bodies of historical material, which throw light on many or all phases of national life, and often furnish the investigator with means, which would otherwise be unattainable, for estimating normal conditions. What is needed is the application of a really scientific method to the treatment of phenomena of this kind. Wars should be studied administratively, and from that standpoint their history should be expounded. The writings of Captain Mahan in this country and of Julian Corbett in England furnish conspicuous examples of such treatment as applied to naval warfare and strategy. Parkman, in his day, showed a certain ability in the same direction. Professor Smith, in the work now before us, has attained success in the treatment of one of the early phases of our revolutionary struggle.

Evidence of the thoroughness of his work was afforded some years

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ago by the publication of a volume on Arnold's march to Quebec. The substance of that volume has been incorporated in the present work. To it has been prefixed a study of the opening of relations between the colonists and those who, they hoped, would be their allies in Canada; of the seizure of Ticonderoga and Crown Point; of the gathering of a military force under Schuyler and Montgomery on Lake Champlain, and of their advance to Montreal. Emphasis is duly laid on the fears which the passage of the Quebec Act aroused in the minds of the colonists, and on their not unreasonable assumption that, if war followed, the British with the aid of Indians would make an attack upon them from Canada. In the light of these fears and suppositions, all the measures adopted by the Americans were made to appear defensive.

From the disastrous failure of the assault on Quebec, December 31, 1775, the narrative is continued, though with steadily diminishing fulness, until after the surrender of Burgoyne. Notice is also taken of the project with which Lafayette was prominently connected in 1778 and of the few later suggestions of a possible union between Canada and the colonies to the southward. But after the American triumph at Saratoga the affairs of New England and the northern frontier fell into the background, the seat of war was removed further south, and Canada ceased to be an issue between the contending parties. Samuel Adams, too, who at the beginning had been a prominent advocate of the Canadian enterprise, had to yield his leadership to others; both he and his policies were less regarded as the war advanced toward the later stages. With a reference to these events Professor Smith brings his second volume to a close. So far as the American Revolution was concerned the union of Canada with the thirteen revolting colonies had ceased to be an issue, and at this point, therefore, the subject to which the author has addressed himself is completed.

Two qualities are noticeable in this work which, in the opinion of the reviewer, give it distinction. One is the evidence which it affords of thorough knowledge on the part of its author of the topography of the region with which he deals. In this respect Professor Smith is a fit successor of Parkman, the knowledge which he shows of details being even greater than that of the older historian. Both writers tramped through the regions which they have described—the younger man having the aid of a camera—and the pages of both are illuminated by descriptions of nature in all its aspects, which add greatly to the zest of the story and do not detract from its essential truthfulness. Along with this, in the case of Professor Smith, goes a thorough acquaintance

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with the New England farmer and his way of doing things. In this respect, as in his treatment of external nature, the present has been made to do legitimate service as an interpreter of the past. The farmer of the back-country town is still fundamentally what he was in 1776, as are the essential forms and aspects of mountain, stream and sky.

These volumes are notable, in the second place, as examples of what can be done toward the reconstruction of the history of the War of the Revolution by a thorough comparative study of the sources, accompanied by a proper understanding of the physical and social conditions under which those campaigns were carried on. The success of Professor Smith in this regard is conspicuous, but it has been attained as the result of much labor in the form of a detailed and critical study of a great variety of more or less unconnected and fragmentary sources. For the period which he covers he has had the assistance of Force's *Archives*, without which the labor involved in his undertaking would have been vastly greater than it actually was. His subject demanded only slight reference to the British forces; the emphasis is laid throughout on the colonists and the conditions under which they fought. And here the reader's attention is directed not so much to marches and armed encounters, to the statistics of camps and battle-fields, as to the ways and means of gathering the troops, of furnishing them with arms, provisions and other supplies, and of moving them from place to place. The minutes of provincial congresses, of committees of safety, of the general Congress at Philadelphia; the letters of officials in civil life and of officers and privates in the army; communications in the newspapers and relations which have since been published from the pens of those who were concerned—these have all been critically analyzed, and each has been made to yield its contribution to the whole. The results of private initiative as well as of private inertia appear in their proper relations. The result is a most impressive, and no doubt a truthful picture of the immense difficulties, physical and social, which attended the waging of war by the colonists and in the colonies. No more vivid illustration of their social condition in general, with its conditions and limitations, could be given than is here afforded. Its general truthfulness would doubtless be confirmed if any other phases of the conflict were subjected to treatment as critical and thorough. Who will undertake the labor involved in a similar study of the later campaigns of the war, for which as yet we have no Peter Force as a guide?

The exuberance of Professor Smith's humor may at times offend

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good taste. His estimates of individuals may here and there be faulty. It may be possible to convict him of error now and then, in some detail. But these possibilities do not essentially affect the conclusion, that he has shown by example, and that conclusively, how the War of the Revolution should be treated if its real character and meaning are to be brought out.

H. L. OSGOOD.

British Colonial Policy, 1754–1765. By GEORGE LOUIS BEER. New York, The Macmillan Company, 1907.—vii, 327 pp.

The author of this monograph has been generally and favorably known to students through his study of *The Commercial Policy of England toward the American Colonies*, which deals mainly with the seventeenth and earlier eighteenth centuries. He now takes up a period of keener interest for the general reader, the years of the final struggle between France and England; his closing chapters leave us on the threshold of the revolutionary era. Mr. Beer's predecessors in this field have been chiefly attracted to the international and more dramatic aspects of the time, the conflicting territorial claims of France and England, the rival activities of missionaries, traders and soldiers. Mr. Beer, on the other hand, has left the beaten paths of the popular historian and has placed himself as completely as possible at the viewpoint of the British statesmen who were struggling with the accumulating problems and burdens of a new world-empire. Trade, Indian relations and military power are all considered, but primarily as presenting problems of imperial administration. The opening chapters, show how the prospect of war forced the British government and its agents to consider the need of a more effective organization for defence and offence. Plans of union were in the air; but all proved futile, and the war began with the old organization substantially unchanged. As the struggle went on the old machinery was severely strained and was found inadequate at several points. The requisition system of securing revenue for defence proved ineffective, much as it did in the hands of an independent American Congress twenty years later. The situation improved with Pitt's judicious handling, but the more public-spirited colonies were penalized by bearing an undue share of the common burden. An unscrupulous trade with the enemy, either directly or through nominally neutral ports, made it harder to provision British troops and enabled the enemy to prolong the struggle. From these experiences the imperial government came out with new devices for enforcing the old trade regulations and the convic-

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tion that adequate revenue for colonial defence could not be secured through the voluntary action of colonial assemblies.

In his treatment of the peace negotiations, Mr. Beer gives little attention to international diplomacy, but devotes himself chiefly to the conflict of opinion among English and American publicists. The older school, arguing for the retention of the French West Indies rather than Canada, conceived of the colonies chiefly as purveyors to the mother country and employers of British shipping. The other party emphasized the idea, whose novelty Mr. Beer has perhaps exaggerated, of the colonies as buyers of British manufactures, and stood with success for the annexation of Canada. As a partial concession to the insular party, the sugar act of 1764 was passed.

After the war, British legislation, though resting in the main upon the old policies, showed increasing desire to obtain revenue, and there were some readjustments to meet the changed conditions. Some of these adjustments are shown to have been distinctly favorable to the colonies, such as the lowering of duties on beaver and whale fins and the revival of bounties on hemp and flax. These, however, were soon overshadowed for the colonists by the tightening of the trade regulations, the restriction of paper money and the final resort to parliamentary taxation. Unfortunately for imperialist statesmen, the moment taken for this forward movement was precisely that in which the colonies began to feel themselves comparatively free from the pressure of external dangers and less disposed than ever to sacrifice provincial autonomy in the interests of a larger cause.

The author's conception of the Revolution is indicated by the assertion that the colonial struggle was "essentially a movement for national independence" confronting a counter-movement "whose aim was to increase the administrative efficiency of the Empire." Whether the change "spelt progress or reaction," he does not undertake to say. Such statements from an American writer would have tried the souls of Bancroft and his contemporaries, but they illustrate the scientific detachment with which our younger scholars are able to study the issues of that stirring time.

Here and there are theses which challenge discussion, and details which may be questioned. The essential thing is that Mr. Beer has given us a well-reasoned, and in the main convincing, study of eighteenth-century imperial problems. The book shows throughout unusual mastery of printed and manuscript sources.

EVARTS B. GREENE.

UNIVERSITY OF ILLINOIS.

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The Inquisition in the Spanish Dependencies. By HENRY CHARLES LEA. New York, The Macmillan Company, 1908.—xvi, 564 pp.

The series of monumental works on ecclesiastical institutions which has given to Dr. Lea the deserved title of the first of living American historians is now enlarged by one that places the scene of its action in large part beyond the confines of Europe. Serving as a supplement to the author's masterly treatise on the Spanish inquisition, the volume under review tells for the first time in the English language the story of the Holy Office in most of the Spanish dependencies. The work possesses a value apart from its study of the activities of that tribunal, for it contributes in an eminent degree to a knowledge of the colonial administration of Spain. Under the several geographical headings of Sicily, Malta, Naples, Sardinia, Milan, the Canaries, Mexico, the Philippines, Peru aud New Granada, the author traces the history of the inquisition in each of these areas from its establishment to its extinction, and appends a number of illustrative documents. The scope of inquiry extends to such portions of the United States as New Mexico, Florida and Louisiana, which were formerly under Spanish rule; but the evidence at Dr. Lea's disposal does not seem to warrant a belief that the inquisition ever obtained a foothold in this country outside of New Mexico, and there only to a slight extent. Properly recognizing the circumstances peculiar to each locality, which preclude the fixing of any norm of description applicable to all alike, he examines the organization and operation of the Holy Office in its relation both to the inhabitants of the several areas and to the supreme tribunal in Spain itself. The point on which the author lays special emphasis is the opportunity afforded to the branches of the inquisition established in dependencies more or less remote from the mother country to interpret the motto "Arise O Lord, and judge Thy cause!" in a manner extremely injurious to the people over whom their dread power stretched. The baneful effects of the inquisitorial procedure, which are brought out on every page, are summed up at the close in a brief section devoted to the "Influence of the Inquisition on the Spanish Colonies." Yet throughout Dr. Lea is careful to refrain from falling into the error, so common among Spanish-American writers in particular, of assuming that either the conduct of the inquisition or the general maladministration of the colonies was directly responsible for the loss of Spain's transatlantic possessions.

To those who are interested in the theme it seems unfortunate that

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Dr. Lea should have omitted the history of the Spanish inquisition in the Netherlands, Chile and the La Plata provinces. An inclusion of these areas would have rounded out the view most admirably. For the omission of the Netherlands there is some excuse in the fact that Fredericq's *Corpus documentorum inquisitionis haereticae pravitatis Neerlandicae* has not been completed. In the case of the two dependencies in South America the reason is less apparent. For his information concerning the other American colonies of Spain Dr. Lea has relied so largely on the works of José Toribio Medina that his failure to follow the same guide into these fields is rather inexplicable. The elaborate and scholarly investigations of the Chilean historian, indeed, have been used to such an extent that the present treatise lacks something of the quality of original research which distinguishes Dr. Lea's other productions. This circumstance, however, can hardly be a fault in the eyes of those who have no knowledge of Spanish.

WILLIAM R. SHEPHERD.

The Censorship of the Church of Rome and its Influence upon the Production and Distribution of Literature. By GEORGE HAVEN PUTNAM. New York, G. P. Putnam's Sons, 1906, 1907. Two volumes: xxv, 375; vi, 510 pp.

This is a subject of more than controversial interest; one which enters vitally into the history of European thought. Nor is it lacking in present-day bearings; the reviewer has a vivid memory of the crushed spirit of one of the most prominent of French liberal Catholics, a scholar of the first rank, when in his old age a book of his was placed upon the index. Protesting earnestly that he was under no delusions as to the political reasons which led a group of men whose intellectual grasp he despised to condemn his volume, he yet felt that they had destroyed his usefulness in the cause he had most at heart. Such is still the power of the Roman censorship.

The volumes before us hardly claim to be a literary history of this office of the church. Mr. Putnam has chosen rather to compile a work of reference, arranged more like an encyclopædia than in the form of a developing narrative. Few readers would persist long in the attempt to read it through; most will consult it only for specific points, by way of its table of contents or its index. Used in this fashion, it will be a welcome addition to the reference library, with its mass of facts, not merely illustrative of the attitude of the church, but also largely indicative of the varying independence of the book-trade in different times and in different countries.

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It is obvious that the book is a compilation. Lists of the indices have furnished much material; and they have been most carefully worked over and analyzed. Less happy is the impression given the reader in those parts which rest upon secondary material. These seem somewhat hastily digested in parts. For instance Hilgers on Jansenism is followed so closely (volume ii, pages *227 et seq.*) along a distracting line of reasoning that one feels at sea as to the extent of state censorship in France in that connection. There is a full chapter on Jansenism in the first volume, where the matter might have been treated, and there are sections in the second volume on Gallicanism and on church and state which touch upon it. Indeed one cannot but feel that a better arrangement of material might have been made throughout the whole work. The subject is an intricate one, and the author states that he has deliberately chosen to repeat himself for the sake of clarity. But in some cases clarity is lost by breaking up a subject for the sake of this partial treatment. The use of the index at the close of the book—which is absolutely indispensable—will perhaps largely obviate these objections; and it may not be fair to judge a book of reference of the encyclopædic class by literary standards. Then, too, the introductory chapter is an illuminating summary, to which the others form a sort of documentary appendix. Those who go beyond it will be interested in particular phases, and they can easily work them out. While not an absolutely original piece of work, it is yet the product of much industry, wide reading and judicious discrimination, and English readers should be grateful for it.

J. T. SHOTWELL.

Die Blütezeit der deutschen Hanse. Hansische Geschichte von der zweiten Hälfte des XIVten bis zum letzten Viertel des XVten Jahrhunderts. By E. DAENELL. Berlin, Georg Reimer, 1906.—Two volumes: xvii, 474; xv, 561 pp.

Il Sistema della costituzione economica e sociale italiana nell'eta dei Comuni. By GINO ARIAS. Turin and Rome, Roux e Viarengo, 1905.—558 pp.

The economic history of Germany and Italy during the middle ages furnishes a particularly attractive and profitable field, in view of the somewhat specious character of their political history. The pageantry of empire or papacy furnishes less material to the student of politics than the less spectacular development of the national state in England and in France; but in the renaissance of commerce and industry which

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took place in the Italian communes and Hanseatic cities the mediæval empire presents historical phenomena of the first importance. The available sources on the Hansa when at the height of its power are very full, compared with most economic history; and the main business of the historian has been to reduce them to order and to state conclusions. Indeed in a sense the history of the Hansa is rather political than economic; the economic element hardly enters into the narrative more than it does in the international relations of modern states. Documentary material is almost as rich as in the archives of national states; and the whole impression one receives from the compressed mass of facts which Dr. Daenell has extracted from them is that of a commercial republic, pushing its policies boldly and intelligently with the strong arm of economic advantage. The two stout volumes of this excellent manual are filled with a minute analysis of this policy from 1356 to 1478. The details are in fact overpowering: the work is a book of reference for the scholar rather than a manual for the casual student of economic history. It is carefully prepared, and it incorporates the main results of research on the Hansa, particularly in the *Hanserezesse* and the various volumes of the *Hansisches Urkundenbuch*. Lacking absolutely the rhetorical power of the "old masters" who have left the imperial side of mediæval German history so much aglow with romance, Dr. Daenell has made possible such a treatment by some future hand of the busy life of those northern cities, by producing a scientific guide to their activities which will be indispensable to all students of the subject. There is a careful geographical and subject index.

It is perhaps fitting, on the other hand, that a parallel survey of Italian cities should be clothed in the eloquence which was denied the German historian. This is the case with Gino Arias's admirable sketch of the social and economic arrangements of the Italian communes. But while written with more of a sense of style, with a broader outlook and sweep, it is none the less a thorough and careful examination of a peculiarly intricate subject. The author has read his sources in the light of recent controversies; and, as he passes in review the varying opinions, he supplies the bibliographical apparatus by which one can control both these and his own conclusions. Appendices of 150 pages of documents add distinctly to the value of the book. Beginning with a survey of the problem of origins, Arias holds, as against Solmi and Levasseur, to the theory of a regular and formal connection between the antique associations and the mediæval—a line of connection which he attempts to trace through changing forms and functions. The

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treatment of the constitution of the *arti* and *mestieri* follows the slow formation of these organs of self-protection with sympathetic historical insight and terminates in a suggestive consideration of the whole process of social groupings as developed in the radical sociology of Durkeim. The first section of the book considers the economic bases of communal activity, the second the social consequences of these economic institutions in politics, financial and diplomatic relations, civil, penal and commercial institutions, and the philosophic conceptions of the Renaissance. It may be that the resulting synthesis is somewhat too confidently stated, but the general conclusions by which the mediæval systems are drawn into the general current of present-day questions deserve the careful attention of students of sociology.

J. T. S.

Economic History of the United States. By E. L. BOGART. New York, Longmans, Green and Company, 1907.—vii, 522 pp.

Mr. Bogart has made a praiseworthy attempt to accomplish a difficult feat, *viz.*, to bring the multiform phenomena that go to the making of a great industrial nation within the scope of a text-book. Any such treatment involves the most rigid picking and choosing of the facts to be presented. In this case the result is little if anything more than a commercial geography arranged on a semi-historical plan. In the chapters dealing with colonial conditions the author has attempted to account for experiments in land tenure, labor, *etc.*, by English antecedents; but these analogies are sometimes misleading, as when "the mercantile system," not trade jealousy, is made to account for the repression of colonial manufactures, and sometimes even fallacious, as when villenage, not apprenticeship, is suggested as the origin of indentured service. Actual misstatements are not lacking, *e. g.*, "the Navigation Ordinance of 1651" "enacted by Cromwell" and "made more severe in 1660" is confused with the legislation of 1663, enumerating articles that might not be shipped from the colonies to other than British ports.

The treatment as a whole is unduly objective, burdened by a multitude of details, and it fails to convey the impression of organic development. The interrelation of business and politics is hardly suggested. The inevitable effects of war on industrial conditions and industrial legislation is minimized. Our financial panics, so rich in significance to the student of currency and credit, receive but casual notice. On the other hand, the agricultural progress of the United States is fully and admirably treated. The enormous gains in farm acreage and in crop output,

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due to our public-land policy, to the opening of foreign markets and to the application of labor-saving machinery, become strikingly apparent. Curiously enough the author gives no account of the Department of Agriculture, whose stimulating influence in the way of experimentation and dissemination of scientific methods has gone far to render our farmers the most intelligent in the world. Washington, our farmer-president, had a clear prevision of the possibilities of this form of government service, and his anticipations have been amply justified.

The author gives but scant space to first-hand authorities, while he indulges in frequent quotations from recent writers not always identified. His bibliography is a long one, but it adds few valuable titles to previous lists.

Students of economic history are grateful for every real contribution to the enormous labor of distinguishing the multiform material achievements and estimating the various social forces that have made for the industrial evolution of the United States. The accumulation of a common body of knowledge and opinion is an important preliminary to the genesis of an economic history of the United States that shall be both accurate and philosophic.

KATHARINE COMAN.

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Parzellierung und innere Kolonisation in den sechs östlichen Provinzen Preussens, 1875–1906. By MARTIN BELGARD. Leipzig, Duncker und Humblot, 1907.—541 pp.

This book brings up to date the story of the Prussian government's long-continued attempt to establish German colonists in its eastern provinces for the purpose of displacing the Polish population; and it is especially timely just now, when the government, baffled in its efforts, is seeking to adopt sharper methods and Poland's great novelist is asking the sympathy of the world for his oppressed countrymen.

For some years, the government carried on its work of settlement through a general commission in coöperation with private agencies. But in 1886 it adopted a more vigorous policy and established a settlement commission, which has practically taken over the work of colonization and has received grants amounting to 350,000,000 marks. The work of the commission has been to buy estates in the Polish provinces and, after subjecting them to more or less improvement, to divide them into small holdings, on which German settlers are placed. It provides the settlers with schools and churches, and fosters in every conceivable way their economic and social life.

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All this has been done for a political object—the literal crushing-out not only of Polish sentiment but even of the Poles themselves; and it has naturally aroused vigorous opposition on their part, which has taken the form of a counter-colonization movement. The Polish settlement societies are aided by excellent coöperative banks, which were established for the purpose and to which Polish artisans in German towns send back their earnings to enable their countrymen to buy land. The Polish peasant also deposits his savings in the banks; and to his intelligence and thrift must be attributed, in large measure, the success of the enterprise. So successful has this counter-movement been that, in 1904, the government attempted to crush it by prohibiting the erection of new farm buildings by Poles; but they evaded this law by making use of old buildings and by enlarging existing holdings.

Polish opposition is but one of many obstacles encountered by the commission. Acceptable settlers are hard to get, for there is no real demand for land, and the artificial inducements offered often cause serious disturbances in land values and consequent opposition to the government's policy in the localities from which settlers are drawn. In the earlier years, Germans returning from Russia were used in settlement; but they proved undesirable and this fruitful source of supply was abandoned. Nor did the difficulties disappear with the placing of the settlers on their holdings. If they were to remain German, every effort must be made to foster their community life. As far as possible, for example, people from the same locality and those of the same religion must be grouped together. The holdings had to be small, since the attempt to bring in German labor failed and the employment of Poles would have defeated the end in view; and, moreover, men capable of handling larger holdings naturally preferred to be independent of the government. The colonies have therefore suffered from the lack of men of large affairs to assume the leadership. The commission's failure to provide adequate reserves made it impossible for the settler to procure more land, thus taking away the spur to thrift, and, more important still, forcing the children to seek work in the towns, never to return. But even if the settler had the opportunity to buy land, he is so hopelessly in debt that it would be impossible for him to do so. While coöperation in all forms is successfully practiced by the Poles, it languishes among the Germans, owing partly to local conditions, but largely to the fact that wherever the hand of government touches self-help it blights it.

The economic condition of the German settlers has indeed been greatly improved by the recent establishment of land banks, which

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virtually buy their holdings and sell them back on time, under favorable terms as to right of foreclosure and interest. Many thriving colonies are to be found and many worthy people have been helped to obtain land. Nevertheless, the movement as a whole, whether it be regarded from an economic or from a political point of view, must be considered a failure. The commission has expended all of its 350,000,000 marks, but the relative number of Poles is larger than at the beginning of its activity. Moreover the Poles have prospered, and their competition has caused land prices to increase twentyfold, so that the commission has sometimes had to pay for land from one hundred to two hundred times its taxable value, and further purchases have now become practically impossible.

In the light of these facts, the question arises: Shall the commission be dissolved? To dissolve the commission, the author argues, would cause such a decline in land values as to bring about a crisis which would affect the entire empire; and, furthermore, the German settlers, if left to themselves, would soon be engulfed, and the Poles would be more stiff-necked than ever. But if the commission is to continue its work, some plan must be devised to enable it to acquire land at reasonable prices. To this end, three propositions have been made: (1) To give the commission a prior right of purchase in the case of all lands going over into Polish hands. (2) To give the commission a veto right, by virtue of which it would have authority to protest against the sale of German lands to Poles and to acquire them itself at their taxable value. (3) To give the commission the right of dispossession. The first proposition the author rejects on the ground that the prices demanded would be prohibitive. The second he regards as more feasible, but he holds that the law would be evaded. The third and most stringent proposition—which the government is now urging—he condemns in no uncertain terms, pointing out that to give the commission such power, even though it would be used in extreme cases only, would mean a tremendous encroachment on private property and existing rights. Although he rejects all these propositions and has none to offer in their place, he insists that the settlement commission must be retained. Apparently the Prussian government is in the position of the man who has hold of the bull's tail and is afraid to let go.

The book is a scholarly piece of work and contains much of interest to people in all lands; but it should be of especial value to those countries engaged, from whatever motives, in building up empirically a rural population.

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The Business of Life Insurance. By M. M. DAWSON. New York, A. S. Barnes and Company, 1905.—404 pp.

During the last ten years, a number of books have been published dealing with the subject of life insurance. Each one of these may have filled a particular want, and all have undoubtedly been useful. None of them, however, has proved satisfactory as a text-book, at least for college use, for which there has been an urgent demand. The larger number of them have dealt almost exclusively with the mathematics of life insurance. While this phase of the subject will always be of vital importance in any course of instruction in life insurance, and while some universities may find it useful to give instruction in actuarial science, the most valuable general course on insurance that can be given is one which deals with the economic and managerial aspects of this important business. For such a course none of the older books treating of life insurance is available.

The plan of Mr. Dawson's book is ideal for use as a text in such a course as has been described. Less than sixty pages out of four hundred are devoted to the mathematics of the subject, and in these all the computations are expressed in simple arithmetic, as they well may be for the average student. The rest of the book is devoted to a discussion of what may be called the problems of the business. Insurance mathematics has been so well developed that little remains to be done along that line, but how to secure proper management of the large companies and proper control of their great assets is a problem in which the public is vitally interested. Mr. Dawson has realized the importance of this side of his subject and devotes most of his space to a discussion of the methods of controlling mutual, stock and mixed companies, to agency systems, to the questions of expense and new business, to rebating and kindred evils, to investments and to the very interesting question of state supervision.

Notwithstanding the excellent plan of Mr. Dawson's treatise and the good judgment which he shows in the emphasis placed upon the various topics discussed, his book is not fitted for the readers for whom he claims to have written it. Certain it is that a brief experience with it shows its unfitness as a college text-book. The reason for this is not far to seek. Mr. Dawson has assumed too much knowledge on the part of his readers. The treatment is altogether too brief. To one who is familiar with the subject of insurance, the rapid survey and the absence of much explanation are pleasing features of the book, but for the uninitiated this method is bewildering. Technical terms are

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introduced without defining them, and there is an almost utter lack of illustration; and consequently a subject that can be made plain is made to seem unnecessarily complicated.

While the book cannot reach those for whom it was intended, it is of value to those who are more or less familiar with the life insurance business. The treatment is eminently fair, the conclusions reached are generally sound, and many suggestions are made which are original and would be useful if adopted. While Mr. Dawson's book cannot succeed as a text, there is good reason for believing that the book which does succeed will follow his closely as a model.

LESTER W. ZARTMAN.

YALE UNIVERSITY.

Municipal and Private Operation of Public Utilities. Report to the National Civic Federation Commission on Public Ownership and Operation. New York, 1907. Part I: General Conclusions and Reports. Part II, Volume I: Reports of Experts, United States; Volume II: Reports of Experts, United Kingdom.—489; xvi, 1230; xvi, 768 pp.

In 1905 a commission of one hundred and fifty members was formed under the auspices of the National Civic Federation to make a thorough and, if possible, impartial investigation of the subject of municipal ownership. From this body a sub-committee of investigation of twenty-one was selected, which had active charge of the inquiry, and, in order "to insure the greatest possible degree of impartiality," friends, opponents and neutrals were chosen in about equal proportions. The industries selected for investigation included all of those commonly known as public utilities except telephone service, including gas, electric lighting and power, water companies and street railways. The scope of the inquiry was carefully defined to embrace an investigation of the franchises of private companies, public supervision by governmental authorities, a history of municipal ownership, the effect of public and private management upon political conditions, the conditions of labor, the character, price and cost of service, economy of management, improvement in service and methods, and financial results.

On the ground that political and other conditions in the United Kingdom were more nearly comparable to similar conditions in the United States than were those in other European countries, the investigation abroad was limited to Great Britain and Ireland. Thirteen experts for the United States and eleven for Great Britain were chosen to carry out the work; and here again, in the interests of fairness to

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each side, these experts were nominated by both the "pros" and the "antis" to work side by side in the preparation of joint reports.

The committee of investigation and the experts confined themselves to the study of a few plants, selecting for comparison those which as far as possible had common features. For example, the public gas undertakings of Wheeling, West Virginia, and Richmond, Virginia, were compared with the private works in Atlanta, Norfolk and Philadelphia; the public water works of Cleveland, Chicago and Syracuse with private companies in New Haven, Indianapolis and Utica.

It is difficult to make an estimate of the value of this investigation as represented by these volumes, either as to the results or the method of the inquiry. Some investigations are justified even though the results are inconclusive, if they aid in developing better methods of inquiry. On both these points the results are somewhat disappointing. Beyond the expression of certain general conclusions, the plan of making a joint committee report apparently broke down. For example, in the preparation on the chapter on "Municipal Operation *vs.* Private Operation of Municipal Monopolies" in Part I, Volume I, Messrs. Bemis, Parsons, W. Clark and Edgar were appointed a committee of four. The work of this committee was interrupted by the illness of two of the members, necessitating the calling in of substitutes, and, in the final plan adopted, the committee divided into two parts: Messrs. Parsons, Bemis and Maltbie writing successive portions of the chapter, *viz.*, pages 113–302, and Messrs. W. Clark and Edgar jointly writing pages 303–443. The two reports differ as to fact and interpretation, and the reader is unable to judge how far an effort was made by either side to sift and analyze the statements of the other. Each report is marred by familiar generalizations, which reflect long-established opinions of the authors and have no close relation to the immediate inquiry.

This investigation has not brought the experts much nearer together; and if the immediate writers are not progressing toward unanimity, it is difficult to see how the readers of the report can be brought into closer harmony. It must not, however, be understood that there is lack of fact or detail; there is an abundance, for the most part well arranged. But on the vital points of quality of service, political graft and labor conditions, there are as many opinions as there are experts. For example, in regard to the political influence of municipalization, Messrs. Clark and Edgar record that certain officials in England believe that it is necessary to disfranchise all municipal employees (page 308); Prof. Commons says that such a proposition "is no longer seriously considered" (page 97); Messrs. Bemis and Parsons declare that there

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has been "no use of political power to secure unreasonable advantages in hours and wages" (page 301); and finally, Mr. Sullivan quotes officials who favor disfranchisement (page 71). A question of this sort ought to have been thoroughly threshed out and the contradictory statements subjected to severe criticism. It is here that a joint committee of experts could be of great service.

Part II contains the more valuable reports of the experts on special undertakings. The operation of water works, gas works and electric supply are analyzed under four separate headings: general history and legislation; labor and politics; engineering matters; and finance and accounting. Here there is a mass of information which ought to be interesting to specialists, but it still remains to be digested. As an offset for these defects, the volumes are supplied with very minute indexes, which will enable a student to secure information on almost any point involved in the discussion of municipal operation.

DAVIS R. DEWEY.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY.

Efficient Democracy. By WILLIAM H. ALLEN. New York, Dodd, Mead and Company, 1907.—xii, 346 pp.

Mr. Allen has written a timely book out of a rich fund of personal experience. Its form and the invaluable lists of questions it contains may, unfortunately, limit its readers to expert social workers. These may read his admonitions, but they cannot accomplish much unless a wider public can be enlightened on the main thesis of the book. The most intelligent political and social servants have for some time known that we were acquiring honesty in philanthropy and politics, sometimes by herculean efforts, without securing efficiency. The illogical reaction from this situation has been the choice of the capable but dishonest. Mr. Allen's book should leave no doubt in the mind of any unprejudiced reader of the inadequacy of "goodness" as a social qualification. In all probability any one who takes the trouble to read the impressive array of facts, the elaborate series of proposed investigations and the suggestive ends to be attained will not misinterpret the meaning of efficiency. But those who might read such a popular article as Mr. Allen could write, and are satisfied with reviews of the book, could get justification for one of the most pernicious tendencies of the day.

In the name of "efficiency" it is now possible to beguile the solid business men and a majority of the voters of a city to elect such a ring politician as the present mayor of Chicago or of Milwaukee. Thoughtful men of affairs stand in rapt admiration of the expedition and

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economy temporarily exhibited in the Chicago city hall, while the birthright of the people is sold behind their backs. The illegal deposition of members of the school board and the passage of a pernicious telephone ordinance are only two out of many instances of gross misrepresentation of the people perpetrated in the name of "efficiency." The merchants of Market street, Philadelphia, connived with the street railway company, abetted by the newspapers, to get a temporary solution of the transportation problem for their own advantage, to the permanent detriment of the city, in the name of "efficiency."

Mr. Allen has written a hand-book invaluable for the guidance of all who administer public enterprises. It should be part of the equipment of every public official and charity officer. The use of his suggestions will revolutionize administrative methods. But he should supplement it with a book or article showing with equal skill, as he can, the necessity of having a democratic goal for all our social endeavors, in order that the sacrifice of efficiency to goodness may not yield to the sacrifice of goodness for efficiency.

CHARLES ZUEBLIN.

UNIVERSITY OF CHICAGO.

The American Constitution. By FREDERIC JESUP STIMSON. New York, Charles Scribner's Sons, 1908.—259 pp.

The Teutonic theory of politics, which is really nothing but English middle-class radicalism in historical and juristic habiliments, has now received at the hands of Professor Stimson a new application in a treatise on American constitutional limitations, viewed especially in their economic bearings. As a critique of contemporary government and administrative policies by a lawyer of distinction in many fields of legal research and practice, the volume is not without value; but since the whole argument rests on a particular interpretation of history, it is the philosophy, not the conclusions, which principally engage the interest of the student. This philosophy is a distinctly English product, though Germany has made contributions to it. During the long struggle for democratic government in England the radicals evolved the notion that the ideal political system which they sought was but a return to precedents—and to the English mind, with its high contempt for abstract political reasoning, precedents are very precious—a return to practices of Anglo-Saxon times, with modifications in detail but not in principle. The history of this notion, which deserves to be written, is a long one, extending back at least to the early part of the seventeenth century; but it found its heavy documentation at the hands of

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Palgrave and Stubbs and its vehement popularization in the labors of Freeman, who, by the way, was more than once a radical candidate for Parliament. With remarkable and, one might say, ponderous scholarship and unquestioned ingenuity, the institutions implied in the doctrine of the Rights of Man were given a historical reality in the crude tribal-feudal arrangements of the Anglo-Saxon period. Beyond the "red thread of the Norman conquest" were found representative government, popular local administration and stalwart individualism of the Spencerian type. Thus history was used with scientific zeal to serve the instant need of politics.

Professor Stimson has accepted this system, at its own valuation, as the philosophic basis for a study of the American constitutional system; and thus it happens that we find the sugar trust and Magna Carta on the same page, and Rooseveltian centralization in close juxtaposition with the shire-moot. In his opening pages, the author commits himself unreservedly to the law and gospel of the Anglo-Saxon school: "Our own Constitution embodies and improves upon the English Constitution, and the English Constitution registers the totality—the aggregate—of those great principles which in eight hundred and forty years of struggles the Saxon peoples have won back again from Norman kings (page 3).

Since this is his thesis, it is worth while to examine carefully the precise validity of the concrete facts marshaled in support of it. When this test is applied, so many positive errors and misinterpretations are revealed that a volume almost as large as the author's would be required to point out mistakes of fact. A few selected at random will indicate the character of the others. On page 8, we are told that "almost down to the Conquest, the whole body of Anglo-Saxon people made their law: the Witenagemot or, as the Normans called it, the Great Council of the Realm. In theory every freeman could go and was supposed to go." Now for the facts. It is an error to confound the whole body of the people with the freemen (McKechnie, *Magna Carta*); there is no reason for believing that there were the slightest vestiges of anything "popular" about the Witan (Chadwick, *Studies in Anglo-Saxon Institutions*); and the statement that every freeman theoretically could attend is without substantiation, resting on the bare assertions of Palgrave and Freeman. Professor Stimson states (page 9) that the invention of representative government "was first used in the very assembly which drew up Magna Carta"; but no stretch of the imagination could make the baronial army at Runnymede representative in any reasonable sense of the word. It is contended that "English law, American law, is in theory the established custom of a free

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people. All other law in the world is the order of a sovereign to a subject. Under Norman kings, it is true, writs were brought in the name of the king, . . . but this was only their formula" (page 27). As a matter of fact, usage assumed as large a place in continental mediæval law as in English law; a decree of Henry II was as good law as one of Philip the Fair in France; the great writs, now the safeguard of individual liberties, were of purely royal origin. The English people did not sweep away "all vestige of the Norman attempt to foist European ideas of law and government" upon them, for some of the most celebrated English free institutions, including jury trial, came from Franco-Norman administrative practices (Brunner). No writ "corresponding to *habeas corpus*" is mentioned in Magna Carta, as is claimed on page 43 (*cf.* McKechnie, *Magna Carta*, p. 156). It is a fantastic and wholly unwarranted misuse of mediæval terminology to say that clause 35 in Henry III's re-issue of the Charter —"No freeman shall be deprived of his freehold or his liberties or of his free customs"—meant the "right to trade or labor, the right to earn one's living, and the right to be protected both from State hindrance and from monopolies" (page 57). It will be astounding to any one who has glanced at the history of English guilds to discover that the English constitution forbade them to do "anything that was in restraint of trade" (page 59). It would be difficult for Professor Stimson to find a charter of Henry II laying down the express principle that all Englishmen were free and to be treated equally before the law (page 79). On page 88 we find accepted the long-exploded notion that jury trial is "separately and expressly mentioned in Magna Carta." Equally erroneous is the idea that the Charter forbade "taxation without representation of the people" (page 99). Certainly it has not always been English doctrine that the sovereign body was the legislature "and as such superior to the executive, the king" (page 133); our author, if he goes no further back, would do well to re-read his Blackstone on this point. Professor Stimson cannot be aware of the anarchic character of his jurisprudence when he says (page 165) "The English king may still be deposed by Parliament and, if they deem wise, put to death." Undoubtedly this might be done; but it would be done under the same right by which the president of the United States might be deposed and executed by the Senate, should it be seized by revolutionary fervor; and surely this is not a part of Professor Stimson's system of liberty.

It is not only in fundamentals that our author is at fault, for the number of his minor errors reveals the fact that historical accuracy in

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details is not his strong point. He has Protector Somerset put down Jack Cade's rebellion in 1549, some hundred years after Jack had been disposed of. Henry III—who, by the way, was a son of King John—was not living "one hundred and thirty-eight years after John's Charter" (page 258); and it is a new view of Henry III to make him "a popular king, a great jurist, and a radical maker of laws" (page 258). Professor Stimson's acquaintance with the doctrines of political economy partakes of the nature of his grasp of English constitutional law, and the success with which he has applied the philosophic method to the solution of our modern problems of government can well be imagined.

CHARLES A. BEARD.

I Trattati internazionali nel diritto costituzionale. Volume I. By DONATO DONATI. Turin, Unione Tipografico-Editrice Torinese, 1906.—xxvi, 610 pp.

To the discussion of international treaties in relation to constitutional law the author proposes to devote two volumes. The first deals only with the problems that arise in the negotiation of treaties down to the moment at which they become effective. The second will cover the enforcement of treaties and the rights growing out of them. The volume under review contains an introduction and three long chapters. The introduction deals with general topics, such as the concept of personality as applied to states, the consideration of treaties as a species of contract and the delimitation of the respective spheres of international and constitutional law. The first chapter points out what is properly the subject matter of treaties and discusses the capacity of variously organized states to enter into them; the second deals with the negotiation and execution of treaties; the third, with their effects.

Like the majority of jurists of the modern Italian school, the author is much influenced, both in form and substance, by German authorities. Particularly frequent reference is made to the writings of Jellinek and G. Meyer. It is not surprising, therefore, to find the book rich in philosophic discussion of basic theory, but somewhat lacking in practical example, even in respect of the precedents furnished by Italian governmental practice. The writers of this school are well fitted for laboratory work, but they too often neglect the field work.

In the section dealing with problems of negotiation (pages 89–243), the author distinguishes the question of capacity, which is determined by international law, from that of competence, which is determined by the constitutional law of each nation. Much scholarly discussion

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(pages 316 *et seq.*) is addressed to the proposition that treaties do not create rules of municipal law. Although the phrase contained in the constitution of the United States, that treaties shall be deemed "the supreme law of the land," would seem to have made them so with us at least, this result attaches by virtue of the constitution and not of the treaties *per se*. Treaties contemplate solely international rights and obligations and, as the quotation from Laband shows (page 317, note 1), have for their object state action alone.

In the final section (pages 534 *et seq.*) it is maintained that restrictive constitutional clauses relating to parliamentary approval do not of themselves avoid the binding effect of treaties, unless the will of the state is expressly declared to be withheld or ratification is made a condition. In this the author's theory seems to be in line with Vattel and Grotius, and, in later times, Bluntschli and David Dudley Field (*Code of International Law*, § 192). It is opposed, however, to the doctrine of Wheaton and Calvo, and certainly to the weight of precedent in American practice (Moore, *Digest of International Law*, V, 184 *et seq.*).

The impossibility of executing a treaty once regularly passed, by reason of constitutional restrictions upon the state organs upon which its execution depends, is held insufficient to impair its binding character (page 589 *et seq.*). Though the precedent is not cited, this was precisely the attitude taken by Italy, through Marquis Rudini, at the time of the New Orleans riots; and we have recently had another instance of the live character of the doctrine in our diplomatic relations with Japan.

The work throughout maintains a high standard of scholarship, but it deals with the theory rather than the practice of treaty-making.

ARTHUR K. KUHN.

NEW YORK CITY.

International Law. A Treatise. By L. OPPENHEIM. London, Longmans, Green and Company, 1905.—2 volumes: xxxvi, 610; xxxiv, 595 pp.

Dr. Oppenheim is a teacher of international law. He was formerly connected with the University of Basle and is at present in the University of London. His purpose in writing has been to prepare "an elementary book" for the use of students. In two volumes he has undertaken to give "a complete survey of the subject." In organization and in other respects the work is similar to that of Bonfils: the

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chapters are subdivided into topics which vary in length from two to six pages; at the head of each topic is given a list of references to the leading writers of the different countries on international law. The work is written throughout in a very didactic style and "is intended," as the author states in his preface, "to present international law as it is, and not as it ought to be." In connection with questions on which the Institute of International Law has proposed rules, the rules are usually set forth. Perhaps the most commendable features of the work are the copious references to treaty stipulations and the fair and impartial judgment with which Dr. Oppenheim, at all times, estimates the conduct of the various states. "I have tried to write," he says, "in a truly international spirit, neither taking any one nation's part nor denouncing any other." In this important particular he has succeeded.

Dr. Oppenheim has little sympathy with the natural-law school of writers. He states that "positivism has gained slowly and gradually the upper hand, until at the end it may be said to be victorious." One would, therefore, expect to find his work a storehouse of precedents, but this is far from true. He refers to few actual cases. In the first volume he lists fifty-four cases and discusses some of them; in the second volume his list is longer, but most of these cases are merely cited in foot-notes, without analysis, to substantiate some very general propositions advanced in the text. Occasionally, when Dr. Oppenheim does undertake to give the facts of a case, he states them incorrectly; in the Koszta case, for example, he omits to mention that Koszta had been banished by Austria, that he had taken the first steps to naturalization under the laws of the United States by formally declaring his intention to become a citizen, that he had received a *tezkereh* from the proper United States officers in Turkey and was thereby entitled to the protection of the United States while within the dominions of Turkey, and, finally, that the right of the United States to protect him under the special circumstances in which he found himself was based on his possession of the *tezkereh* and not, as Dr. Oppenheim states, "because he had taken his domicile on her territory with the intention to become there naturalized in due time." The case of Soulé is noted by Dr. Oppenheim as follows: "In 1854, the French government did not allow the United States envoy, Soulié [*sic*], who had landed at Calais on his way to Madrid, to stop in France, because he was a French refugee naturalized in the United States." Mr. Soulé was stopped at Calais, according to the explanation made by the French minister of foreign affairs, not because the French government wished

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to prevent his "simple passage" through France to his post, but because "the sojourn of a foreigner whose antecedents had awakened the attention of the authorities" made it "necessary to consult him as to his intentions"; and this was prevented by Mr. Soulé himself, who, as soon as he was stopped, left Calais and returned to his post by way of England and Portugal.

Dr. Oppenheim obviously regards himself as a positivist, and has doubtless attempted to set forth the actual practice of states; but his method is very different from that of Hall and Westlake, who carefully collect and analyze the best evidence of the actual practice and permit their readers to observe the logical processes through which they reach their statements of the existing law. Dr. Oppenheim operates largely with principles of policy, which are necessarily somewhat indefinite, and, by means of distinctions which are certainly subjective and which often seem *doctrinaire*, he deduces jural concepts which are distinctly his own and which he sets forth in novel terms. Thus, in a chapter entitled "Responsibility of States" (I, 198 *et seq.*), Dr. Oppenheim asserts that there are two different kinds of responsibility: "original," or that which is "borne by a state for its own—that is, its government's—actions, and for such actions of the lower organs or of private individuals as are performed at the government's command or with its authorization"; and "vicarious," or that which is borne by states "for certain acts other than their own—namely, certain unauthorized injurious acts of their organs, of their subjects, and even of such foreigners as are for the time living within their territory." A neglect by a state, he says, of its "original" responsibility constitutes an "international delinquency" and "requires, apart from their especial consequences, a formal expiatory act, such as an apology at least, by the delinquent state to repair the wrong done."

> On the other hand, the vicarious responsibility which a state bears requires chiefly compulsion to make those officials or other individuals who have committed internationally injurious acts repair as far as possible the wrongs done, and punishment, if necessary, of the wrong-doers. In case a state complies with these requirements, no blame falls upon it on account of such injurious acts. But, of course, in case the state refuses to comply with these requirements, it commits thereby an international delinquency, and its hitherto vicarious responsibility turns *ipso facto* into original responsibility.

Dr. Oppenheim then discusses in general terms for several pages the application of his novel distinction. He states that the action of a legislative body, however illegal it may be from the international point

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of view and however injurious it may be to a foreign state, "can never constitute an international delinquency," but that "all states must bear vicarious responsibility for such attitudes of their parliaments." He takes the position that "individuals who enter foreign territories submit themselves to the law of the land, and their home state has no right to request that they should be otherwise treated than as the law of the land authorizes a state to treat its own subjects." And he goes on to say that, "since the law of nations does not prevent a state from expelling foreigners, the home state of an expelled foreigner cannot request the expelling state to pay damages for losses sustained by the expelled through his having to leave the country." He says "that individuals who enter foreign territory must take the risk of an outbreak of an insurrection or riot just as the risk of the outbreak of other calamities." And, unless the municipal law of a state provides a remedy for injuries caused by insurrection or riot, "the state itself never has by international law a duty to pay such damages." Throughout this discussion Dr. Oppenheim refers us to no precedents, although a collection of cases, holding contrary to the opinions expressed by him, is to be found in Moore's *International Arbitrations*, a work which Dr. Oppenheim does not cite and apparently has never consulted.

Dr. Oppenheim's failure to search out the precedents has caused him at times to misstate the existing practice of nations. So, in speaking (I, 443) of the claim of asylum for persons who have sought refuge in diplomatic domiciles, he states that "during the nineteenth century all remains of it vanished." Again, in discussing the basic principles of neutral duty, he emphasizes impartiality, the doctrine of Grotius and Bynkershoek, rather than abstention, the only doctrine deducible from modern precedents. A few more errors and omissions may be briefly noted. The author states (I, 425) that "a distinction is made between a chargé d'affaires and a chargé des affaires"; that "the latter is a member of a legation whom the head of the legation delegates for the purpose of taking his place during his absence on leave"; and that "such a chargé des affaires ranks below the chargé d'affaires." He evidently means to distinguish between chargé d'affaires *ad hoc* and the chargé d'affaires *per interim*. The greater Republic of Central America is spoken of (I, 129, 156) as if still in existence; it was dissolved in 1898. A slight error of Hall is perpetuated in the statement (I, 424) that the classification of diplomatic representatives fixed at Vienna and Aix-la-Chapelle has been accepted by "all" states. It should be noted that Turkey has a system of its own, which differs from that of the other states in classing together ministers resident and

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ministers plenipotentiary. In treating of the practice governing the recognition of new states, Dr. Oppenheim does not undertake to mention or discuss the recognition of Panama. Notwithstanding the failure of Great Britain on the absorption of the Transvaal and that of Cuba on its secession from Spain to assume the financial obligations attached to their respective previous persons, Dr. Oppenheim says there is no doubt about the existence of "a real rule of international law, based on custom," which requires the absorbing state and the new state to take over such debts. He omits to mention the case of Cuba.

G. W. SCOTT.

WASHINGTON, D. C.

Chile: Its History and Development, Natural Features, Products, Commerce, and Present Conditions. By G. F. SCOTT ELLIOT. New York, Charles Scribner's Sons, 1907.—xxviii, 357 pp.

The Andes and the Amazon: Life and Travel in Peru. By C. REGINALD ENOCK. New York, Charles Scribner's Sons, 1907.—xvi, 379 pp.

Within recent years the increasing attention drawn to the countries of South America has created a demand for fuller and more exact information. So far as this attention carries with it a corresponding degree of interest, the sort of literature required is that which deals with actual conditions. The general reader cares as little for the history of the South American states as for the superficial impressions of travelers bent merely on the quest of the picturesque. He wishes to know something about the geographical, economic, political and social situation and prospects in general, and he also wishes information regarding all the varied elements of social life which go to make up civilization. Such information is especially desirable for two reasons: first, because it would serve to dispel the common notion that the South American republics are scarcely more than half civilized; and secondly, because at present it is either not obtainable at all or to be obtained only in the shape of meagre and often erroneous statistics.

Neither of the works under review supplies this sort of information. Though superior to any other books, in English at least, which attempt to deal with Chile and Peru, they do not give a clear or well-rounded picture of the conditions prevailing in these countries. As the initial volumes in a "South American Series," it might reasonably be expected that they would strive to satisfy the present demand, and also that they would show a certain similarity in treatment. Unfortunately,

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however, the marked difference between them in form, substance and style makes the reader lament the absence of a general editor, while he observes with regret the tendency displayed by both of them to follow conventional, though diverse, lines in the presentation of their subject matter.

Were the character of the series to be estimated by Mr. Elliot's work on Chile, the wisdom of the publishers in launching it upon the market might be justly doubted. It is neither a history nor yet an elaboration of traveler's notes, but rather a disjointed combination of the two. Considerably more than three-fifths of the book is devoted to a history of Chile. It begins with the "physical history," which means chiefly a description of the natural features of the country; proceeds to the "prehistoric history," which includes an account of primitive races as well as the invasion of Almagro, who was hardly a prehistoric personage; and then allows marching, fighting and shooting to surge and rattle through some two hundred pages, all the way from Valdivia to Balmaceda, with practically no interpretation of the events narrated beyond that which is furnished by their chronological sequence. The remainder of the text is given over to a somewhat rambling sketch of social, economic and political conditions in the Chile of today, ending with a leap backward to the time of Magellan and another forward to the prospects of the republic. An appendix dealing with the products and shipping of the country, an uncritical list of books and a good map complete the work.

So far as the conditions and prospects of Chile are concerned, the reviewer ventures to dissent from the opinion expressed by Major Hume in the introduction, namely, that the author is "fully qualified to speak of them from personal knowledge." Whatever be the abilities of Mr. Elliot to prophesy, and whatever may have been the length of his sojourn in Chile, the bulk of his information about the present circumstances of that state appears to be derived from the volume by "Mr. Robinson Wright" (page xx), usually known as Mrs. Marie Robinson Wright, and from the productions of other writers both unofficial and official. A perusal of Mr. Elliot's book certainly leaves the impression that it is a compilation made at home rather than a digest of data acquired personally on the spot. It is not devoid of interest, and, so far as it goes, it does justice to the Chileans, but it is too deficient in selection, proportion and topical arrangement to be of much value to the public.

Mr. Enock's work is what its subtitle indicates it to be, a collection of traveler's notes. The author is a young English engineer who has

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lived long enough in Peru to obtain an extensive acquaintance with the land and its people. Topics such as the several areas of the country, social customs, natural resources, the church, the Inca civilization and ruins, pirates and buccaneers, earthquakes and tidal waves, colonization, commerce and railways, and, finally, South American relations in general, are treated with a power of description that at times is admirable. Like its companion volume, the book has a good map, but it provides no bibliography and contains few references to the literature dealing with Peru.

Although Mr. Enock's book is entertaining and in many respects instructive, it is too desultory to give the reader anything like a complete view of Peruvian conditions. As literature, its value is seriously impaired by an irresistible bent toward fine writing. Striving constantly for effective verbal combinations, the author never loses an opportunity to wax eloquent, or to indulge in the artificially ornate phrase that calls for the use of points both of interrogation and of exclamation. As regards the substance of the book, its authority is impaired by the author's insularity and prejudice. Spain is made absolutely responsible for all the ills which Peru has suffered and is suffering. Censure of Spanish methods is accompanied by laudation of the civilizing effects of British colonization and British commerce. Had the former been applied in time, Peru would have blossomed like the rose; and were the latter now to dominate the economic life of that country, the blossoms would certainly turn to golden fruit. The United States, in the author's opinion, is at present unfit to have a share in the work of development. "Unfortunately," he tells us, "the business and administrative methods of the North Americans are not such as to warrant their yet taking up the position of mentor to any one; . . . and one thing is certain—the closer their association with Great Britain, the sooner will their capacity for righteous administration be developed" (page 364). It is cheering to learn that we have capacity.

WILLIAM R. SHEPHERD.

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RECORD OF POLITICAL EVENTS

[From November 5, 1907, to May 1, 1908]

I. INTERNATIONAL RELATIONS

FOREIGN RELATIONS OF THE UNITED STATES.—The newspaper rumors of impending war with **Japan** were quieted, both in America and Europe, largely through the efforts of Secretary of State Root. Moreover, the attempt to settle the question of the immigration of Japanese coolies into the United States seems to be approaching a successful conclusion (see last RECORD, pp. 751, 752). The American ambassador, Mr. O'Brien, made representations to the Japanese minister of foreign affairs on the subject, and the latter replied that his government was making efforts to stop undesirable emigration to the United States. The Japanese minister was then confronted with evidence that the immigration of coolies was on the increase. Japan's answer to this contention was made on December 31; it accepted some of the American suggestions and outlined the plans by which emigration of laborers might be restricted, but maintained that the statistics of Japanese immigration presented by Mr. O'Brien were incorrect. The American memorandum of January 25 suggested that the difference between the American and the Japanese statistics might be due to frauds practiced upon the Japanese government. In a paper handed to Mr. O'Brien on February 18 Japan outlined plans for a restriction of emigration intended to settle all existing differences between the two countries. Viscount Aoki, the Japanese ambassador to the United States, was recalled in January, and his place was taken by Baron Takahira, who had formerly represented his country at Washington.—Mr. F. D. Fisher, the American consul in Manchuria, refused to recognize the municipal government established by **Russia** at Harbin and reported to the American government that Russia and Japan were violating the open-door policy in China. Secretary Root informed the Russian government in April that the administration would support Mr. Fisher's action (see ASIATIC INTERNATIONAL RELATIONS, *infra*).—Congress voted to reduce by about half the indemnity of $24,440,778 imposed upon **China** on account of the Boxer disturbances of 1900. Wu Ting Fang, formerly the Chinese representative at Washington, was again appointed Chinese minister to the United States.—Two treaties were concluded in April between **Great Britain** and the United States, one providing for a commission to settle the disputed boundary questions between the United States and Canada, and the other to regulate fishing in the great lakes and contiguous streams. In April the Senate ratified an arbitration convention with Great Britain.—A reciprocity agreement with **France** (see last RECORD, p. 752) was signed at Washington on Janu-

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ary 27 and went into effect on February 1. An arbitration treaty with France was ratified on February 19, applicable to any issues that may arise between the two countries.—On November 8 it was announced that Dr. David Jayne Hill would succeed Charlemagne Tower as ambassador to **Germany**. Although the appointment was apparently made with the approval of the German government, it was reported in the latter part of March that Dr. Hill was not entirely acceptable to the emperor. This report and the further allegation that the objection was based upon Mr. Hill's want of means to meet the social requirements of the position gave rise to considerable comment in the political press. Subsequently it was officially announced in Berlin that no objections were entertained to Dr. Hill's appointment.—In January **Spain** finally paid to the United States a claim of $570,000, which grew out of spoliations of American merchantmen by privateers during the wars between Spain and her colonies in South America. The amount had been determined in 1834 and Spain had paid interest since that date. An arbitration treaty with Spain was ratified by the Senate in April.—The labor disorders in **Cuba** (see last RECORD, p. 753) continued, and many union leaders in Havana were arrested and held for trial. The census of the population was completed and a new electoral law, providing for proportional representation, was prepared in January by the advisory commission appointed by Governor Magoon. President Roosevelt announced that by February 1, 1909, the government of the island would be turned over to Cuban citizens. In April Governor Magoon requested the resignations of several provincial governors and appointed American officers in their place.—In March the Superior Court of **Venezuela** confirmed the judgment imposing a fine of $5,000,000 on the New York and Bermudez Asphalt Company for aiding in the Matos revolution (see last RECORD, p. 754). Five large claims are still pending between the United States and Venezuela, and all efforts to persuade the latter to arbitrate them have been unsuccessful. On March 31 the correspondence between the two countries on the subject was referred to the Senate, but no action had been taken at the close of this RECORD. Bad feeling was increased by the action of the Venezuelan officials in opening mail-bags intended for the cruiser "Tacoma."

OTHER AMERICAN INTERNATIONAL RELATIONS.—The Central American Peace Conference, held at Washington (see last RECORD, p. 753), adjourned on December 20 after a month's deliberation. Eight treaties were signed, the most important provisions being the neutralization of Honduras and the institution of a high court for the five republics. This court will be composed of judges elected by the congresses of the several states and will meet in Honduras. It will hear and determine all questions in dispute between the contracting countries, and it has power in every case to fix the *status quo* to be maintained, pending adjudication. It is to determine its own competency in all cases in which its jurisdiction is disputed. None of the five countries may repudiate the agreement during the next ten

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years except as the result of political union between two or more of them. The further resolutions adopted by the conference relate to uniform extradition laws, monetary systems, tariffs, *etc.*, the establishment of better means of transportation and communication, and to other commercial and educational interests. One important article provides that none of the five governments shall recognize heads of other governments not constitutionally elected. After the close of the conference the presidents of the various republics opened negotiations with a view to the adoption of a uniform code of international law.—An attack by a detachment of **Peruvian** troops early in November on a **Brazilian** fort located at Leticia on the Peruvian frontier and the subsequent occupation of the Brazilian town of Tabatinga created strained relations between these countries, which were relieved by Peru's withdrawal and apology.—**Brazil** negotiated treaties for boundary demarcation with **Venezuela** and **Uruguay** in November, and with **Colombia** in January.—**Peru** and **Chile** concluded their first treaties of amity on December 18.—An extradition treaty was signed on December 18 between **Mexico** and the **Netherlands.** The report in January that the king of **Spain** would shortly visit Mexico was received with satisfaction by the press of both countries.—In January **Nicaragua** negotiated treaties of friendship and commerce with **Italy** and **Belgium,** and a special convention with **Great Britain,** whereby the latter recognizes Nicaraguan sovereignty over the Mosquito Reservation and the annulment of the port privileges of San Juan del Norte.—The governing board announced on February 5 that the **Fourth Pan-American Congress** would be held at Buenos Ayres in 1910, the one hundredth anniversary of Argentina's independence.—In consequence of the punitive measures adopted by the government of **Hayti** against revolutionists, warships were sent in March by Great Britain, Germany, France and the United States for the protection of foreigners. General Antenor Firmin, the leader of the recent insurrection, and other refugees at the French and German consulates were subsequently permitted to leave Hayti on a French cruiser for St. Thomas.—Mr. Lemieux, Canadian minister of labor, visited Tokio in November and December, and received assurance that while **Japan** would not consent to any modification of her treaty with **Canada** or enter into any new agreement, she would in future so control **emigration** that there should be no further cause of complaint.

EUROPEAN INTERNATIONAL RELATIONS.—At Christiania, on November 2, Russia, Germany, France, Great Britain and Norway agreed to modify the Anglo-French treaty of November 21, 1855, and to guarantee the territorial integrity of **Norway.** Special agreements were concluded in April between Sweden, Russia, Germany, Denmark and the Netherlands for the maintenance of the *status quo* in the **Baltic.**—Emperor William's welcome on the occasion of his visit to England in January seemed to attest the most cordial relations between **Great Britain** and **Germany,** but the discovery in March that the emperor had written a personal letter

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to Lord Tweedmouth, of the Admiralty, on the subject of the British navy created somewhat of a sensation, and the emperor's act was treated by part of the British press as an inadmissible attempt to influence British policy.—An arrangement was effected in December between **Great Britain** and **France** for mutual assistance in the collection of income-taxes.—A new commercial agreement between **Austria-Hungary** and **Servia** was signed in March.—Disorders in Macedonia and negotiations of the powers with the Porte for administrative reforms and railway concessions have again brought **the Balkan situation** into prominence. Outrages in Macedonia were reported almost daily, and the protests of the powers to the governments of Bulgaria, Servia and Greece against abetting the disorders have thus far resulted only in calling forth reciprocal recriminations.—The ambassadors at Constantinople presented to the Porte on December 22 a note demanding the renewal for a period of seven years of the mandates of the foreign officials engaged in carrying out the reforms in Macedonia. The Porte replied early in January that it was prepared to renew the mandates only on condition that the officials should enter the Turkish service. A British proposal for the subordination of all Macedonia functionaries to a governor-general, Christian or Moslem, to be appointed by the sultan with the consent of the powers and to reside at Salonika, although warmly approved by the Balkan states, was elsewhere received with disfavor. An alternative Russian proposal was submitted on April 1 with the endorsement of France, Germany, Austria and Italy.—Negotiations for reforms have been complicated by negotiations for railways. Russia at first opposed the application of Austria-Hungary for a railway through Novi Bazar, connecting Salonika with Vienna, but in March acquiesced on condition that simultaneously with this concession the Porte grant another for a Danubian-Adriatic line *via* Servia and that Bulgaria be allowed to connect her railways with those of Macedonia. The sultan signed an *irade* in April directing a survey of the Novi-Bazar railway. Negotiations were opened in April between Greece and the Porte for connecting the Piraeus-Larissa railway with the line from Salonika to Monastir. The proposed construction of these various railways created great uneasiness among the Albanians in the vilayet of Kossovo.—The Porte agreed in March to the renewal of the mandates of the foreign officials in Macedonia and confirmed the nomination by the Italian government of General Count di Robilant in succession to the late General De Giorgis as commander of the Macedonian gendarmerie. The refusal of the Turkish government to authorize Italian post-offices in Turkish territory, coupled with the murder of an Italian missionary in Tripoli and the persecution by the Ottoman government of natives who have sold their land to Italians, called forth a protest from the Italian government in April.

AFRICAN INTERNATIONAL RELATIONS.—There is little change in **the Moroccan situation** (see last RECORD, pp. 750, 751). Neither of the rival sultans has had sufficient funds to prosecute the war to advantage. The troops of Abd-el-Aziz gained a victory over those of Mulai Hafid near

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Mogador on November 15 and late in that month recaptured Mazagan. The population of Fez, however, enraged at the rise in prices caused by the anarchy in the vicinity, rioted on December 22, destroying the urban *octroi* posts and driving out the tax-collectors; and in January the discovery of a secret communication, sent several weeks before by Abd-el-Aziz to their *ulema*, asking whether, in case any Moslem sovereign's power became so weakened that he was unable to reassert his authority, he might call foreign Christian troops to his aid, aroused such resentment that they unanimously proclaimed Mulai Hafid sultan. The example of Fez was followed by the towns of Wazan, Alcazar and others, with the result that by February 1 Mulai Hafid was in possession of the whole interior of Morocco and of one of the coast towns, Saffi, while Abd-el-Aziz held the other coast towns. A defection in the forces of the former occurred in March through the proclamation of Shereef Big Soos as sultan by some of the tribes in the extreme south; and Mulai Hafid's alliance with those tribes in the north which were resisting foreign occupation brought him into conflict with the Europeans. About the middle of March he made peace overtures to the French, and in a letter of April 1 to the legations at Tangier he again urged them to recognize him as sultan, promising to observe all the stipulations of the Algeciras convention.— After protracted negotiations between Raisuli and the British legation, Kaid Sir Harry Maclean was surrendered at Tangier on February 6; the bandit chieftain obtained $100,000 and the release of fifty-six prisoners, and he and twenty-eight of his relatives became protected British subjects. Maclean, after his captivity of seven months, re-entered the service of Abd-el-Aziz.—In January Abd-el-Aziz released his brother, Mulai Mohammed, from the prison where he had been confined for fourteen years and placed him in command of the army at Rabat.—International Franco-Spanish police were installed in December at Tangier, Tetuan, El-Araish and Rabat, Germany joining France and Spain in contributing to a loan of $500,000 made by the Bank of Morocco to Abd-el-Aziz for the maintenance of this police. A Spanish force under General Marina occupied Mar Chica, in February, to keep order in the districts contiguous to Spanish territory as provided in the treaty of 1894. General d'Amade, who replaced General Drude in command of the French troops at Casablanca late in December, declared that no troops would leave until the issue between Abd-el-Aziz and Mulai Hafid had been settled and order restored. In January he received the submission of the powerful tribe of the Beni Snassen on the Algerian frontier, and in February he defeated the tribesmen in alliance with Mulai Hafid near Settat.—M. Pichon, foreign minister of France, declared in Parliament on January 27 that France had no idea of conquering Morocco or taking any territory, but intended merely to restore order in the coast districts, to carry into effect the Algeciras convention and to maintain a prudent neutrality between the rival sultans. War-Minister Picquart announced that, up to January 1, there were 99 killed and 311 wounded out of the total 13,000 men then constituting the French expedition in Morocco,

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and he estimated the expense to France, up to the same date, at five and a half million francs, exclusive of naval expenditure.—The long-delayed determination of the boundary between **Abyssinia** and British East Africa was reached in January by an agreement embodying the claims of Great Britain. On December 12 a force of 2000 Abyssinians made an incursion into the Italian protectorate, attacking Berbale and blockading Lugh. Emperor Menelek apologized to the Italian government, condemned the leaders of the raid to imprisonment and appointed new chieftains along the Benadir frontier well-disposed to the Italians.

ASIATIC INTERNATIONAL RELATIONS.—The **Russo-Japanese** agreements (see last RECORD, p. 751) seem to be encroaching seriously on the sovereignty of **China** in **Manchuria**. The Russian authorities in March asserted absolute and exclusive rights of administration and territorial jurisdiction over Chinese and foreign residents at Harbin and other places within the lands occupied by the Eastern Chinese Railway Company, and Mr. Fisher, the United States consul at Harbin, alone supported the protests of China. The Japanese, likewise against the protests of China, have retained the public buildings at Mukden and the Manchurian coal-mines, and they have occupied the territory of Chien-tao in Kirin province on the ground that, though long held by China, it really belonged to Korea. Japan has taken most of the telegraphs and post-offices in Manchuria and has prohibited China from extending a railway west of the Liau River lest it should compete with the Japanese railway east of that river. The seizure by Chinese customs officers in Portuguese waters off Macao early in March of the Japanese steamer "Tatsu Maru" with a consignment of arms on board provoked bitter feeling in both countries, but an amicable arrangement was reached between the governments whereby China released the steamer at Hong-kong on March 16 and paid Japan damages, and Japan agreed to adopt and enforce strict regulations to prevent traffic in arms and ammunition between Japan and China. The "Tatsu Maru" incident and other disputes between China and Japan have given rise to an extensive boycott of Japanese goods by Chinese merchants.—In March Russia converted her legation at Tokio into an embassy.—A joint **Turko-Persian** delimitation commission was in session at Urumiah throughout February. The Turkish government declared that Fazyl Pasha, its general who was charged with aggressions on Persian territory, had merely been suppressing Kurds and had occupied Suj Bujak in consequence of the requests of the Sunnite inhabitants. Orders were telegraphed to him in February to withdraw immediately to the Turkish side of the frontier.—For the purpose of punishing Kurdish raiders who attacked the Russian garrison at Belesuvar on April 13 **Russian** troops crossed the **Persian** frontier and defeated the Kurds in the mountains of Kara Dagh. Persia is preparing an expedition to cooperate with the Russians.—The **Tibetan** envoy in India paid the final instalment of the war indemnity for the campaign of 1904 at the foreign office in Calcutta on January 27.—A new treaty was negotiated in March

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between **Great Britain** and **Siam**, by which Siam ceded to Great Britain the states of Kelantan and Tringano, and Great Britain in return modified her extra-territorial rights in Siam proper.

INTERNATIONAL CONFERENCES.—The International Sugar Convention, which was held at Brussels from November 18 to December 3, admitted Russia to membership on condition that the amount of sugar which Russia exports from January 1 to September 1, 1908, be limited to a total of 1,100,000 tons, exclusive of the amount exported to northern Persia and Finland, and that Russia export no sugar into Germany and Austria-Hungary.—The second international conference on the African sleeping sickness met in London on March 9 with seven countries represented, but failed to agree on a draft convention.

II. THE UNITED STATES

THE ADMINISTRATION.—A serious **financial crisis**, comparable to that of 1893, occurred in October and November and was followed by an industrial depression which still continues. For the relief of the money market Secretary of the Treasury Cortelyou made deposits of government funds in New York national banks; and on November 17 he announced, with the approval of the president, an issue of $50,000,000 of two-percent Panama bonds and $100,000,000 of three-percent treasury notes, both of which could be used as security for national bank currency. The purchase price was to be re-deposited with the banks. Both issues were oversubscribed, but only about $25,000,000 of the Panama bonds and about $15,000,000 of the treasury notes were actually allotted, the former at the average price of 103. Secretary Cortelyou was attacked in the Senate by some of the southern Democrats on the ground that he had discriminated in favor of New York in making deposits and had unjustly favored banks as against individual bidders in making allotments of bonds. On January 29, he submitted a report to the Senate, in which he defended his action.—**President Roosevelt** sent a letter on November 19 to three cabinet officers, stating that federal office-holders would not be permitted to continue their activity in favor of his re-nomination. On February 9, in answer to assertions that he was using federal patronage to further the candidacy of Secretary of War Taft for the Republican nomination to the presidency, he made public a letter written by him to William D. Foulke, analyzing recent appointments and declaring that the accusations were false and malicious.—The action of the president in appointing a medical officer to command a naval hospital ship led to a somewhat sensational controversy. The appointment, which was made on the advice of Surgeon-General Rixey, was opposed by Admiral Brownson, chief of the Bureau of Navigation, on the ground that it was both inexpedient and illegal; and, when his remonstrances were disregarded, the admiral sent in his resignation, December 24. The president denounced this action as "disloyal to the interests of the navy, and therefore of the country as a whole."—At the president's invitation, the gover-

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nors of the states and territories are to meet him at the White House on May 13, 14 and 15 to discuss the conservation of the natural resources of the country.—Secretary Straus of the Department of Commerce and Labor organized, at Washington, on December 5, "The National Council of Commerce," embracing the leading commercial bodies of the country. Its purpose is to keep the department informed of the needs and desires of the business world, and also to keep business men in touch with the work of the department.—On December 16 **the Atlantic fleet** started on a cruise for the Pacific Ocean, *via* Cape Horn, and on April 14 it reached San Diego, California. It was announced in April that the fleet would visit Japan on the invitation of the Japanese government.—Prosecutions for **land frauds** were checked for a time, in December, by a decision of Judge Robert E. Lewis of the United States district court at Denver, Colorado. Judge Lewis held that contracts for the transfer of lands after application had been made for them were legally permissible, and that such contracts could not be made criminal offences by the rules of the Land Office, as this office was not a law-making body. An appeal was taken by the government from this decision, and on January 11 it was announced by the Department of Justice that there would be no cessation in the prosecution of land-fraud cases in Colorado and other western states, though it would be necessary to change the procedure in some respects. Representative G. W. Cook of Colorado in an open letter attacked these prosecutions as unfair. J. H. Hall, former United States district attorney, was convicted in February, in Portland, Oregon, of conspiracy to maintain an illegal fence which enclosed 2000 acres of public lands. The trial of a number of persons alleged to have conspired to defraud the government of public lands began in Washington on April 1.—The members of the Committee on Appropriations of the House of Representatives visited the **Panama Canal** in November and reported that conditions in the Canal zone were satisfactory (see last RECORD, p. 755). During the period under review the work of excavation proceeded very rapidly. Chief Engineer G. W. Goethals stated in January before the House Committee on Interstate and Foreign Commerce that the total cost of the canal, originally estimated at $135,000,000, would approximate $300,000,000.—The principal appointments made during the six months were: Beekman Winthrop of New York as assistant secretary of the treasury; L. O. Murray as controller of the currency; C. P. Grandfield as first assistant postmaster-general; F. T. Dennett of North Dakota as commissioner of the General Land Office; J. S. Leech of Illinois as public printer; E. S. Fowler as collector of customs at the port of New York; G. W. Wanmaker as appraiser of merchandise at the port of New York; J. F. Tracey of New York as member of the Philippine Commission; David J. Hill as ambassador to Germany.

THE DEPENDENCIES.—The legislature of the **Philippines** elected Benito Legarda and Pablo Ocampo as delegates to Washington. The inaugural session of the Assembly closed on February 1. One hundred and

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twenty-five bills were introduced, of which five were passed. There were no disorders during the session, and Governor-General Smith expressed his satisfaction with the conduct of the members. The first regular session of the Assembly opened on February 4. It instructed its delegates at Washington to ask Congress to suspend perpetually the Frye Shipping Act. A resolution to instruct the delegates to ask Congress how soon independence would be granted met with general ridicule and was withdrawn.

CONGRESS.—The first session of the sixtieth Congress opened on December 2. J. G. Cannon of Illinois, Republican, was re-elected speaker of the House of Representatives and J. S. Williams of Mississippi was again chosen as the leader of the minority.—President Roosevelt in his **annual message** recommended a revision of the currency laws, so as to provide a more elastic currency; a national incorporation act for railroads and further control of inter-state corporations by means of federal charters and the requirement of publicity; an amendment of the anti-trust law, so as to forbid only harmful combinations; income and inheritance taxes; inland waterways and conservation of all the natural resources of the country, especially of the forests; postal savings banks and extension of the parcels post; a better ocean mail service; a bigger army and navy, and an appropriation during the current year for the construction of four new battleships. —The time of Congress was chiefly occupied with the subject of **currency legislation.** Two principal bills were introduced, one by Senator Aldrich in the Senate and one by Representative Fowler in the House. The Aldrich bill provided for an emergency national bank currency, to be secured by state, municipal and railroad bonds, and to be issued with the consent of the controller of the currency and the secretary of the Treasury. The Fowler bill, on the other hand, contemplated a complete reformation of the currency system. It introduced credit notes instead of bond-secured circulation; divided the country into redemption districts, each managed by a board of managers elected by the banks; and proposed to secure notes and deposits by a government guaranty fund, for the maintenance of which a tax on circulation was to be imposed. There was much opposition to the Aldrich bill, particularly from the West. Senator La Follette of Wisconsin made a sensational speech against it, in which he alleged that the panic had been brought on artificially by a few financial magnates for the purpose of discrediting the policies of the administration. After the bill had been amended by eliminating the railroad-bond feature, by requiring that four-fifths of the reserves of a bank be kept in its vaults, by prohibiting the investment of the funds of any national bank in securities of any corporation whose officers or directors were at the same time officers or directors of the bank, and in other respects, it was passed by the Senate, March 27, by a vote of 42 to 16. The House Committee on Banking and Currency tabled the Aldrich bill and reported the Fowler bill. Representative Vreeland introduced a substitute for the Aldrich bill, adding commercial paper to the securities upon which an emergency issue of bank notes might

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be based. Mr. Fowler introduced a resolution providing for a currency commission.—In view of the impending presidential election, it was the intention of the Republican leaders in Congress to pass no important legislation with the exception of a currency measure. In a **second message**, on January 31, President Roosevelt strongly urged action upon several matters. He recommended a new employers' liability law, an act to restrain the "abuse of injunctions," a new law prohibiting the discharge of an employee because of membership in a union, an increase of the powers of the Interstate Commerce Commission, an amendment to the anti-trust act, including permission for railroads to form traffic associations, and the abolition of "stock gambling." A bill embodying some of these recommendations was introduced by Representative Hepburn of Iowa on March 23. It provides for federal registration of corporations, those registering to be immune from prosecution for restraint of trade so long as the restraint is adjudged by the government not to be unreasonable, and it furthermore specifically recognizes the right of labor to organize, to make collective bargains and to strike. In another message, on March 25, President Roosevelt advised the passage of such a bill, and also of a child-labor law, an employers' liability law and a measure regulating the use of injunctions, and he suggested the creation of a tariff commission. In a further message, on April 27, he reiterated and emphasized some of these recommendations.—The only important law passed at the close of this RECORD is an **employers' liability act**, to take the place of the act found unconstitutional by the Supreme Court (see FEDERAL JUDICIARY). Bills providing for the appointment of a **tariff commission** to revise the tariff have been introduced Senator Beveridge of Indiana and Senator La Follette of Wisconsin. In response to the agitation for the reduction of the tariff on wood-pulp, the House authorized an investigation of the paper trust. Representative Lilley of Connecticut, on February 20, introduced a resolution providing for the appointment of a committee to investigate the lobbying methods of the Electric Boat Company of New Jersey before the House Committee on **Naval Affairs**. He charged that the company had used corrupt and unfair methods in getting its submarine boats accepted by the committee. A special committee headed by Mr. Boutell of Illinois was appointed by the speaker to investigate these facts. The House Committee on Naval Affairs having recommended appropriations for two new battleships only, President Roosevelt sent a message to Congress, on April 14, renewing his plea for four such ships; but the House sustained its committee. The Senate also voted down a four-battleship amendment, but put itself on record as favoring the construction of two battleships annually. Early in April the President sent a message to Congress calling its attention to the necessity of checking the spread of anarchism.

FEDERAL JUDICIARY.—Four decisions affecting labor have been rendered, and three of them have had important political bearings. In Loewe *v.* Lawlor, the Supreme Court held that when a labor organization,

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by the use of labels and notices in labor papers and by other means, boycotts a manufacturing concern doing a large interstate business, the said organization becomes a combination in restraint of trade and is liable to the penalties of the anti-trust law. In Adair *v.* the United States, it was held that the provision of the act of June, 1898, making it a criminal offense against the United States for an officer or agent of an interstate carrier, duly authorized in the premises, to discharge an employee because of membership in a trade union, violates personal and property rights guaranteed by the constitution, and that such a provision does not come within the power of Congress to regulate interstate commerce. In two cases decided on January 6, 1908, the court, by a vote of five to four, held that the Employers' Liability Act passed by Congress transgressed the constitutional limits imposed upon the federal regulation of interstate commerce (see RECORD of June, 1907, p. 370). In Muller *v.* Oregon, a state statute limiting the working hours of women in laundries to ten per day was upheld. —In Darnell *v.* Memphis, a Tennessee statute, imposing a tax on property within the state which is the produce of the soil of another state, and at the same time exempting like property produced in Tennessee, was declared unconstitutional as interfering with interstate commerce.—In Lee *v.* New Jersey, it was declared that a judgment of a state court which, in enforcing a state statute, does not deprive the complaining party of rights will not be reversed because the enforcement of such a statute against another class of parties may be unconstitutional.—According to Hunter *v.* Pittsburg it is not a taking of property without due process when, under a state statute, a smaller municipality is annexed to a larger city in such a way that an additional burden of taxation may be imposed on the citizens of the former by a majority vote of the combined municipalities.

NATIONAL POLITICS.—The national committees of the two great parties met at Washington in December. Chicago was selected as the place for the meeting of the Republican national convention and June 16 was fixed as the date. The Democratic national convention was summoned to meet in Denver on July 7. President Roosevelt reiterated the statement that he would not accept a third term. Secretary of War William H. Taft, who is supported by the administration, is the most prominent aspirant for the Republican nomination. Other prominent candidates are Governor C. E. Hughes of New York, Speaker of the House J. G. Cannon of Illinois, Senator Knox of Pennsylvania, Senator La Follette of Wisconsin and Vice-President Fairbanks of Indiana. In the Democratic party the preponderance of sentiment seems to be in favor of William J. Bryan of Nebraska. Some of the conservative elements are opposed to him, and most of them are uniting on Governor John A. Johnson of Minnesota. Judge G. Gray of Delaware has also been put forward as a candidate.—The People's Party held its convention at St. Louis on April 3 and nominated Thomas E. Watson of Georgia and S. Williams of Indiana. The Bryan wing of the party has threatened to secede.

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STATE AFFAIRS.—The legislature of **Alabama** passed a prohibition bill in November by a two-thirds majority.—Senator S. R. Mallory of **Florida** having died in December, William James Bryan was appointed by the governor to serve out the unexpired term. Senator Bryan died in March, and H. Milton was appointed to succeed him.—**Kentucky** was the scene of numerous outrages committed by "night riders" in the war against the American Tobacco Company, the "tobacco trust." Independent tobacco growers and dealers who refused to hold their crops for higher prices or who sold to the "trust," were assaulted at night and their property was burned. One farmer was murdered in March. It was reported on March 24 that an agreement had been reached which would put an end to "night riding." W. O. Bradley, Republican, was elected United States senator, on February 28, after a long struggle, by the aid of four Democratic votes.—W. P. Whyte was elected United States senator from **Maryland** to fill an unexpired term. He died in March, and J. W. Smith, who had already been elected for the full term beginning on March 4, 1909, was elected in his place.—A special commission on commerce and industry, appointed July, 1907, reported to the **Massachusetts** legislature in favor of permitting the merger of the Boston and Maine with the New York, New Haven and Hartford Railroad.—The **Mississippi** legislature passed a prohibition bill.—Governor J. K. Toole of **Montana** resigned on account of ill-health, and on April 15 Lieutenant-Governor E. Norris became chief executive for the remainder of the term, which ends on January 1, 1909.—The legislature of **New Jersey**, largely as a result of the efforts of Governor Fort, passed a civil service commission bill.—Governor Hughes of **New York** appointed in November an advisory commission of six bankers, headed by A. B. Hepburn, to consider the banking situation and to suggest such new legislation as might seem necessary. The commission's report favored larger required reserves in state banks and in trust companies, limitations on the organization of branches, and the granting to the superintendent of banks of greater and more direct supervisory power and the power to appoint receivers of insolvent banks. Most of the recommendations were embodied in statutes enacted by the legislature. In his annual message to the legislature in January, Governor Hughes recommended the prohibition of race-track gambling, direct nominations, ballot reform, and the extension of the jurisdiction of the Public Service Commission to include telegraph and telephone companies. A strong fight, led by the governor, was made in favor of the bills prohibiting race-track gambling. The measures were passed by the Assembly, but were beaten in the Senate by a tie vote. The governor again requested the Senate to remove Superintendent of Insurance Kelsey (see RECORD for June, 1907, p. 370) on the ground of inefficiency, but his recommendation was defeated a second time.—The **Ohio** legislature passed a county local-option bill in February.—Oklahoma and Indian Territory became a state under the name of **Oklahoma** on November 16, when President Roosevelt signed a

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proclamation admitting it into the union. In December the legislature of the new state passed a bill guaranteeing state bank deposits.—Several more indictments were found by the Dauphin county grand jury against persons implicated in the state capitol scandal in **Pennsylvania** (see last RECORD, p. 757). The trial of the first cases began in February, and four convictions were obtained March 13.—G. P. Wetmore was again elected to the United States Senate from **Rhode Island**.—Senator A. C. Latimer of **South Carolina** died in February, and F. B. Gary was elected to serve for the remainder of the term.—The General Assembly of **Virginia**, on March 26, adopted a resolution removing from office Judge J. W. G. Blackstone of the eleventh circuit, on the grounds of immorality and gross neglect of official duty.

MUNICIPAL AFFAIRS.—On December 10, for the first time in six years, **Boston** went Republican, the Democratic mayor, J. F. Fitzgerald, who was a candidate for re-election, being defeated by G. A. Hibbard.—The traction problem of **Chicago**, the leading issue in its municipal politics, has been settled by the "modified reorganization plan," devised by United States Circuit Judge P. S. Grosscup and Professor J. C. Gray of Harvard. A new company, the Chicago Railways Company, is to take up all the outstanding evidences of indebtedness of seven decrepit companies and to issue in lieu thereof new bonds and stocks of its own. An amazing system of corruption involving city employees and big business firms was uncovered in the Water Department in March. In the spring election of members of the City Council, on April 7, the Republicans were victorious.—Immediately after the November election Mayor T. Johnson of **Cleveland** took up the campaign against the public-service corporations. The Cleveland Electric Railway Company, the five-cent fare corporation, was denied a twenty-five year franchise, and after seven years of warfare finally agreed to Mayor Johnson's plan of merging the three-cent and five-cent roads under a holding company.—The commission plan of government of **Des Moines**, Iowa, was decided to be constitutional by Judge J. A. Howe of the district court, in November.—In **Milwaukee**, on April 7, the Democratic candidate for mayor, D. S. Rose, was elected; the Socialist candidate was second in the race, the Republican nominee third.—The Public Service Commission of **New York City** continued its investigation into the street railway systems (see last RECORD, p. 758). It was discovered that the Brooklyn Rapid Transit Company had charged to the construction account payments to politicians, and that its directors had manipulated its bonds. Several of the traction companies are in the hands of receivers. State Attorney-General Jackson brought a suit to annul the charter of the New York City Railway Company on the ground of insolvency. At the trial it was disclosed that by manipulation of accounts deficits had been reckoned as assets.—On December 21 Judge Hough of the United States circuit court affirmed the findings of Arthur H. Masten, master in chancery, holding the eighty-cent-gas law unconstitutional. The application of the Public

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Service Commission that the court fix a rate of eighty-four cents was later denied. An appeal was taken to the United States Supreme Court. The case hinges on the question whether a franchise for which nothing was paid should be counted as a part of the capital on which reasonable earnings must be allowed.—J. F. Ahearn, president of the borough of Manhattan, was removed from office by Governor Hughes on December 9 for neglect of duty (see last RECORD, p. 758). He was re-elected by the aldermen, who have power to fill the vacancy. A *quo warranto* suit was then begun by the attorney-general to exclude Ahearn from office.—The charter revision commission appointed by the governor made a report on December 2. The state legislature passed a bill providing for another commission to complete the work and investigate the conduct of the city departments.—**Pittsburg** and **Allegheny** have been consolidated into one city.—On January 9 the district court of appeals set aside the conviction of ex-Mayor Schmitz of **San Francisco** on the charge of extortion (see last RECORD, p. 759), on the ground that the acts of which he and Ruef were found guilty were not criminal offenses. Schmitz was released from prison in March, but is to be tried on other indictments. Ruef was re-indicted, and new indictments were also found against Patrick Calhoun, president of the United Railways, and T. L. Ford, general counsel for the same corporation.

THE TRUST PROBLEM AND THE RAILWAYS.—The taking of testimony in the suit brought by the federal government to dissolve the **Standard Oil Company** (see last RECORD, p. 760) has been carried on before Special Examiner Ferriss for the United States circuit court of Missouri. Until January 17 the hearings took place in New York. By agreement of the attorneys for both sides, in order to save time, those parts of the testimony taken in various other suits against and investigations of the company which the government wished to include were read into the record without calling the witnesses. Frank B. Kellogg, attorney for the government, brought out an agreement between the Standard Oil Company and the Pennsylvania Railroad, dating from 1877, by which the railroad agreed to pay the company a "commission" of ten per cent of the freight rate on all oil shipments. The hearings were resumed at Washington on January 23. Deputy Commissioner of Corporations E. Dana Durand testified that shipments of oil were way-billed at one rate but were actually carried at a much lower rate; Special Agent T. C. M. Schindler of the Bureau of Corporations testified that the company received unpublished, secret rates from Burlington, Vermont, to many distributing points in Vermont.—On January 4, Judge J. R. Hazel, in the United States district court at Buffalo, overruled the demurrers filed by the Standard Oil Company to indictments found against it by the federal grand jury at Jamestown, New York. In this case there are seven indictments containing over 1700 counts.—The hearings in the action brought by the government to dissolve the **American Tobacco Company** (see last RECORD, p. 760) were held before United States Commissioner Shields at New York. It was brought out that the

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company manufactures 1500 brands of smoking tobacco and 200 brands of cigarettes. One of the vice-presidents of the company testified that it desired competition, that it controlled only 1000 of the 600,000 retail cigar stores in this country and that it owned only one of the 5000 tobacco jobbing concerns. He denied that the company bought concerns to stifle competition. The hearings closed on March 24.—On December 3, the **powder trust** filed its answers in the suit brought against it by the government in the United States circuit court at Wilmington, Delaware (see last RECORD, p. 761). The answers deny that the defendants ever entered into any illegal contracts in restraint of trade or that they unfairly competed with other manufacturers for the purpose of obtaining supremacy. They also deny the existence of any conspiracy for the purpose of restraining interstate commerce.—In April indictments were returned against the alleged **naval stores trust** by the federal grand jury at Savannah, Georgia.—**State action against corporations** has not slackened. In December a Chicago grand jury returned indictments against members of an Illinois milk dealers' association on a charge of conspiracy in restraint of trade. Minnesota instituted proceedings to oust the Standard Oil Company of Indiana from the state, on the ground that it violated the law forbidding discrimination between cities in the prices charged for commodities. Attorney-General Hadley of Missouri instituted *quo warranto* proceedings to expel from the state the International Harvester Company for alleged violation of the state anti-trust laws.—The supreme court of Ohio affirmed the decision of a lower court in the ice trust cases, in which several persons were sentenced to imprisonment in the workhouse for six months, but ordered them to be resentenced on the ground that they could be sent to the county jail, but not to the workhouse. The ice trust men were resentenced and began to serve their term in the county jail at Toledo on February 4. These are the first persons in the United States convicted of violating anti-trust laws to serve a jail sentence. After they had been imprisoned for thirty-seven days, sentence was suspended and they were released. The prison sentences of the twenty lumbermen who were convicted of violating the Valentine anti-trust law (see last RECORD, p. 761) were also sustained, but on April 3 the men were resentenced, for the same reason as in the other cases, and fines were imposed in place of imprisonment.—By a decision of the supreme court of Tennessee, rendered on April 11, the Standard Oil Company was denied the right to do business in that state because it had acted in restraint of trade. The case was appealed to the Supreme Court of the United States.—Texas is continuing its suits against the subsidiary corporations of the Standard Oil Company. Receivers were appointed for several of the concerns, including the Waters-Pierce Company. The latter was fined $1,600,000 and ousted from the state for violating the anti-trust laws; the case has been appealed.—Because of the stringent insurance laws which went into effect in Wisconsin, a majority of the foreign insurance companies ceased to do business in that

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state.—A bill in equity was filed by the United States government in Salt Lake City in January, to dissolve the **Harriman merger**. It asks that the control of the Southern Pacific and San Pedro, Los Angeles and Salt Lake roads by the Union Pacific Railroad Company be set aside, and that the ownership by the Union Pacific, or the Oregon Short Line, of stock in the Santa Fe, the Great Northern and the Northern Pacific be declared illegal, all of the above lines being competitors of the Union Pacific. Mr. Harriman made his answer on April 6. He denied that the Union Pacific controlled the affiliated lines and that he and the other defendants had conspired to restrain trade and competition.—On January 17, in the United States district court at New York, Judge Hough directed E. H. Harriman to answer all the questions, with one exception, to which he had refused to reply in the investigation of the Union Pacific system by the Interstate Commerce Commission last winter (see RECORD of June, 1907, p. 372). The questions relate to the interest of Mr. Harriman and other directors of the Union Pacific in the sale of securities to the Union Pacific. —The government is continuing to push actions against railways and shippers for **rebating**. The Atchison, Topeka and Santa Fe Railway, which was convicted of rebating at Los Angeles on October 11 (see last RECORD, p. 762), was fined $330,000. G. L. Thomas, a freight broker, and his clerk, L. B. Taggart, were convicted at Kansas City, Missouri, in January, of conspiring to give rebates, and were fined $7000 and $4000 respectively. —On March 10, at St. Louis, the St. Louis and San Francisco Railway Company, which pleaded guilty to thirteen indictments for rebating, was fined $13,000; the Chapman and Dewey Lumber Company, to which the rebates had been granted, later pleaded guilty and was also fined $13,000. The Great Northern Railway Company was found guilty in New York, in April, of having granted rebates to the American Sugar Refining Company and was fined $5000; at the same time it was convicted on a similar charge in Milwaukee and fined $3000.—The United States Supreme Court handed down a decision in February that the Hepburn Act of 1906 does not repeal the first section of the Elkins Act prohibiting rebates by railways. It was announced in March that the administration would not prosecute railways for failure to comply with the "commodity clause" of the Hepburn Act, prohibiting a railroad to transport any article produced by it, until a test case could be brought before the Supreme Court. The provision is aimed against railroads that own coal mines and goes into effect on May 1.—The contest over **two-cent-fare** legislation (see last RECORD, p. 762) has been subsiding in the majority of the states concerned. In Alabama the legislature was convened in extraordinary session in November by Governor Comer for the purpose of enacting railroad legislation. It passed about twenty acts, including several maximum-rate bills and penalty measures. Restraining orders were issued by Judge T. M. G. Jones of the federal court, suspending the execution of the laws. An agreement was concluded in January between the Southern Railway and the

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Georgia railroad commission for an adjustment of passenger rates in the state. The state of Kansas was enjoined by the United States circuit court, in March, from putting into effect a new schedule of freight rates. The Missouri railroad companies announced that they would contest the two-cent passenger-fare law. The Missouri statute forbidding foreign corporations to transfer suits brought against them from the state to the federal courts was declared unconstitutional by United States District Judge S. McPherson. On December 4 the supreme court of North Carolina upheld the two-and-one-fourth-cent-rate law (see last RECORD, p. 762). An arrangement was later reached, however, the railroads agreeing to introduce throughout the Southeast a flat rate of two and one-half cents per mile with mileage reductions. Governer Glenn then summoned a special session of the legislature to change the law which had fixed the rate of fare at two and one-fourth cents a mile. On January 20 the supreme court of Pennsylvania declared the two-cent-fare law enacted by the last legislature to be unconstitutional. In South Dakota a temporary injunction was issued by the federal court in January restraining the railroad commission from reducing passenger rates from three to two and one-half cents per mile. The Tennessee railroad commission ordered all railroads to put into operation a two-and-one-half-cent rate. A serious blow was given in March to state railroad-rate legislation by a decision of the United States Supreme Court, which declares the rate laws enacted by Minnesota and North Carolina to be unconstitutional, because of the enormous penalties imposed for violations and because they had been held to be confiscatory by lower courts.

LABOR AND CAPITAL.—The financial panic of the autumn was followed by an industrial depression, throwing a very large number of workingmen out of employment and causing great misery and suffering, particularly in the large cities. Two decisions were rendered during the winter by the Supreme Court of the United States which have a far-reaching effect on organized labor. The first declared unconstitutional that portion of the Erdman Act which prohibits common carriers from discriminating against members of labor organizations; the second held that a boycott in restraint of trade is actionable under the Sherman anti-trust law (see FEDERAL JUDICIARY). In New Orleans, in February, the members of the Dock and Cotton Council, consisting of representatives of all classes of labor employed on the river front, were indicted by the federal grand jury on the charge of conspiring to restrain trade in violation of the Sherman anti-trust act. In Cleveland the Amalgamated Glass Workers' Union was held by the court of common pleas to be acting in restraint of trade and it was ordered that it be dissolved on the ground of public policy.—On December 5 President Roosevelt, acting on the request of Governor Sparks, dispatched troops to **Goldfield**, Nevada, where a **miners' strike** was in progress and bloodshed was feared. The Western Federation of Miners insisted that the soldiers were unnecessary, as no acts of violence had been committed. To investigate the trouble between the miners and the mine owners, Presi-

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dent Roosevelt sent to Goldfield, on December 11, a commission consisting of Assistant Secretary Murray of the Department of Commerce and Labor, Commissioner of Labor C. P. Neill, and Commissioner of Corporations H. K. Smith. A few days later the president informed the governor that, as there was no evidence that the local authorities were unable to maintain order, he would have to withdraw the federal troops. To prevent this, Governor Sparks, on December 30, summoned the legislature to meet in extraordinary session on January 14, and President Roosevelt postponed the recall of the troops. On January 12 the report of the commission sent by the president to Goldfield was made public. It stated that the conditions did not support the allegations in the governor's request for troops and recommended that the troops be removed shortly after the meeting of the legislature. A few days later the legislature convened and petitioned the president to keep troops in Goldfield until a police force could be organized. President Roosevelt acceded to this request.—On February 19 President Roosevelt wrote to the Interstate Commerce Commission asking it to investigate the real merits of controversies over wages between railroads and their employees, where it was alleged that governmental interference necessitated reductions. It was said that this action intimidated some of the railroads and prevented reductions of wages.—G. A. Pettibone, who was indicted with W. D. Haywood (see last RECORD. p. 763) for conspiring to murder Governor Steunenburg of Idaho, was acquitted at Boise on January 4. C. H. Moyer, accused of the same crime, was discharged. H. Orchard, who had turned state's evidence against Haywood, later pleaded guilty and was sentenced to death, but Judge Wood strongly recommended to the state board of pardons that the sentence should be commuted to imprisonment.—The contracts under which miners in the bituminous coal fields were working expired on March 31, and almost two hundred and fifty thousand men temporarily stopped work. A new agreement between the miners and the operators was reached, and the men resumed work on April 20.—The union men employed by the Louisville Street Railway Company went on strike, on November 15, for an increase in wages and for the reinstatement of several discharged men.—On December 3 fifteen hundred men were locked out by building contractors in an open-shop contest at Duluth, Minnesota. This action followed a threat of the labor leaders to call out all union men at work on a new office building because some non-union men were employed.—Early in January a strike of street-car employees took place at Muncie, Indiana. There was rioting, and the state militia was called out. Muncie was placed under martial law by a proclamation of the governor. The labor unions then declared a boycott against the Indiana Union Traction Company.—Three thousand coal miners employed in mines near Pittsburg went on strike on February 4 because of the enforcement of the rule requiring the use of smokeless powder instead of the ordinary black powder.—On March 16 fifteen hundred machinists and other workmen employed in the shops of the Denver

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and Rio Grande Railway at Denver struck as a result of an order issued by the railroad abrogating all contracts with the unions. It was threatened that the strike would spread to every road in the Gould system.—Street-car strikes, attended with a good deal of violence, took place in April at Chester, Pennsylvania, and at Pensacola, Florida.—New cases of **peonage** have been uncovered. In November a special policeman for the Thacker Coal and Coke Company was convicted and fined in the federal court at Charleston, West Virginia, on the charge of conspiring to hold persons in peonage. Complaints were made in February that newly arrived immigrants were enticed into conditions approaching peonage in the establishment of Civil Service Commissioner J. A. McIlhenny in Louisiana.

THE RACE PROBLEM AND LYNCHING.—On March 11 the Senate Committee on Military Affairs brought in its final report on the **Brownsville affair** (see RECORD of June, 1907, p. 365). The majority report, supported by four Republican and all the Democratic members, upheld the action of the president in discharging on November 9, 1906, the colored soldiers stationed at Brownsville, Texas, on the ground that they had "shot up the town." A dissenting report was made by Senator Foraker. At the same time President Roosevelt sent a message recommending legislation permitting the re-enlistment of such of the soldiers as could prove their innocence, and a bill to this effect was introduced. On April 14 Senator Foraker spoke against this bill, which he declared unjust, and plead for the passage of his own measure providing for the reinstatement of all the men.—Early in April President Roosevelt directed Attorney-General Bonaparte to proceed by injunctions to compel Southern railroads to furnish equal accommodations to white and negro passengers.—The first lynching in the new state of Oklahoma took place on December 24, when a negro was hanged to a pole at Henrietta and his body riddled with bullets for murdering a prominent white business man. All negroes were then ordered to leave Henrietta within forty-eight hours.—A race riot occurred in Valdosta, Georgia, on January 18, in the course of which two negroes were arrested; after midnight a mob set fire to the jail, and the two prisoners were burned to death.—A young white man was shot and wounded on January 19 at Dothan, Alabama, by a negro; the latter was hanged at night by a masked mob, but, while still alive, was cut down by officers of the law.—At Quitman, Georgia, on February 2, a negro arrested for murder of a white woman attacked the sheriff, who tried to defend him from a lynching mob, and was then shot by one of the deputies.—Two negroes, charged with the murder of a husband and wife, were lynched at Hawkinsville, Georgia, early in March.—Several warehouses were burned near Van Cleave, Mississippi, in March, and, in revenge, four negroes were lynched by a mob of thirty men.—A race riot between negroes and Greeks took place at Belhaven, North Carolina, on March 11, because the Inter-State Cooperage Company was replacing negro labor with Greeks.

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III. LATIN AMERICA

The **Argentine** Congress was dissolved in January by the government on account of the obstruction encountered in both houses. Elections to fill one-half the seats in the Chamber were held on March 8, and resulted in a complete victory for the government, as the opposition, with the exception of the Socialists, abstained from voting.—**Chile** suffered a temporary financial crisis in November, owing to an unprecedented fall in the rate of exchange, and four banks failed. Several lives were lost in a riot of striking nitrate workers in the Iquique district in December. The government is active in the construction of public works: a contract has been awarded to a German firm for a railway from Arica to La Paz; the Creusot Works of France have begun a big wharf at Corral; and a bill passed Congress on January 22 providing an appropriation for the Longitudinal Railway, to be built from the Peruvian frontier to the straits of Magellan, a distance of 2600 miles. The census taken at the close of 1907 gave the total number of inhabitants of the republic as 3,250,000.—The 1908 budget as approved by the **Brazilian** Congress fixes expenditures at 114 million dollars. The government in April contracted with a Japanese immigration company for Japanese field laborers to be employed in the state of Sao Paolo.—A new ministry took office in **Colombia** on March 11 with Sr. F. J. Urrutia as premier. President Reyes left Bogota on April 18 on a tour through the departments, in order to gather material for a report on the national industries.—A decree of the **Venezuelan** government, November 19, materially increased the duties on agricultural imports. The Federal High Court handed down on March 17 a decision, from which there is no appeal, annulling the famous Fitzgerald concessions under which several American companies claimed rights in Venezuela.—**Bolivia** completed arrangements in March with an American syndicate for the construction of a railway from Oruro to Potosi.—**Ecuador** announced in November that a national exposition would be opened at Quito in August, 1909, in commemoration of the republic's centennial.—The Congress of **Paraguay**, which met in December in extraordinary session, adopted a project for the establishment under governmental authorization of a mixed bank to be known as the Bank of the Republic.—The **Uruguayan** Chambers early in November sanctioned a bill establishing absolute divorce under exceptionally broad conditions. The general elections on November 25 aroused little interest, the government securing 73 seats and the Nationalists 14. A strike on the Central Uruguayan Railway in February was troublesome, but was suppressed.—President Figueroa of **Salvador**, by decree of November 20, granted amnesty to all political offenders, suspended martial law, declared the constitution again operative and promised the people a fair administration of the government. Congress in February approved a loan of five million dollars to be raised in England.—An uprising of Mosquito Indians in December was easily put down by the **Nicaraguan** government.—General Miguel R. Davila was elected president of **Honduras** on January 31. The govern-

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ment in March permitted ex-President Policarpo Bonilla to return to Honduras to devote himself to agriculture.—The **Guatemala** Northern Railway from Puerto Barrios on the Atlantic to San José on the Pacific, work on which has been in progress since 1892, was formally opened on January 19.—The new constitution of **San Domingo**, which was promulgated by the constitutional convention in February, went into effect on April 2. It fixes the term of office of the president at six years and abolishes the office of vice-president.—The census taken in 1907 reports the total population of **Cuba** as 2,028,282, the provinces of Havana and Santa Clara being the most populous. (See also INTERNATIONAL RELATIONS, AMERICAN, *supra*.)

IV. THE BRITISH EMPIRE

THE UNITED KINGDOM.—Parliament was opened by the king on January 29. Measures were promised dealing with old-age pensions, license, education, miners' hours, Irish and Scotch land, juvenile offenders and other subjects. The juvenile offenders bill, establishing children's courts, abolishing juvenile imprisonment and prohibiting smoking by persons under sixteen, was introduced on February 10. The new education bill, a modification of the one rejected last session, was presented by Mr. McKenna on February 24 and was vigorously attacked by Mr. Balfour and the archbishop of Canterbury. The government's licensing bill, which contemplates the reduction of licenses to a fixed number in proportion to the population, was brought in on February 28. The Commons in March passed the army bills, providing for an establishment of 185,000 regulars, exclusive of those employed in India, and carrying appropriations of over $47,000,000. The government is pushing an old-age pension measure involving an estimated annual outlay of $70,000,000. An unemployed workmen bill was opposed by Messrs. Burns and Asquith and rejected in March by 265 votes to 116. The Irish University bill was introduced in March by Mr. Birrell. A home-rule resolution by Mr. Redmond was carried on March 30 by a majority of 156, with a government amendment declaring that the Irish Parliament must be subject to the Imperial Parliament's supreme authority.—Sir Henry Campbell-Bannerman's resignation of the premiership in April on account of continued ill-health necessitated a reorganization of the **ministry** with the following results: H. H. Asquith, premier and first lord of the Treasury; David Lloyd-George, chancellor of the Exchequer; Lord Tweedmouth, president of the Council; Earl Crewe, secretary of state for the colonies; Reginald McKenna, first lord of the Admiralty; Winston Churchill, president of the Board of Trade; and Walter Runciman, president of the Board of Education. The marquis of Ripon remained lord privy seal, but at his request Earl Crewe assumed the leadership in the House of Lords. The new cabinet was well received by the Liberal press, but Mr. Churchill's defeat for reëlection from Manchester, late in April, was interpreted as a sign of its declining prestige. The

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acceptance in April of the title of viscount by John Morley, secretary of state for India, was held to imply that the idea of reforming or abolishing the House of Lords (see last RECORD, p. 766) had been temporarily dropped. —**Woman suffragists** made demonstrations throughout the winter in the cities, before the houses of cabinet officers, even in Parliament; and several women, refusing to pay fines, were sent to jail. Mr. Asquith stated in February that the government could not initiate woman suffrage.—The annual conference of the **Labor party**, which was held in January at Hull, rejected an amendment to the constitution of the party embodying socialistic principles but passed a resolution declaring that the time had come when the Labor party should adopt socialism as the definite object of the organization. Mr. A. Henderson, M. P., succeeded Mr. Keir Hardie as chairman of the party.—The Court of Appeal in March confirmed judgment against the working agreement between the Great Northern and Great Central Railways.—The National Liberal Convention of **Wales** presented a petition to the government in November for a Welsh disestablishment bill in 1909.

CANADA.—The **Dominion Parliament**, which was opened on November 28, has been engaged in amending the insurance law, revising the Public Lands Act and dealing with other important measures. The budget, as adopted in March, contains appropriations for the new transcontinental railway and for the nationalization of the battlefields of Quebec. Sir Wilfred Laurier, in a statement in January, advocated a reform of the Senate on the lines of the United States system, suggesting six senators from each of the nine provinces.—Details were arranged in January for a loan to the western provinces of over $3,500,000 for the purpose of providing seed grain for settlers whose crops failed last year. The government later announced free grants of 320 acres of land in Manitoba and the Northwest to men in that locality who served as volunteers in the South African war.—The total number of **immigrants** into Canada during 1907 was 277,376, of whom 56,551 came from the United States. From April 1 to December 1 immigration averaged over 1000 a day, and in December the Dominion government telegraphed instructions to its agents in Europe to discourage further immigration for the winter. Orders in council became operative in April prohibiting the landing in the Dominion of any person whose passage had been paid, wholly or in part, by any charitable organization or from public moneys, and authorizing the governor in council to refuse admission to immigrants who do not come on a through ticket from their country of origin or adoption.—An order in council, passed in January, declared that after January 1, 1909, the **coasting trade** of Canada will be confined to British ships. The estimated imports from Great Britain to Canada in 1907 were $78,000,000 and from the United States $165,000,000.—The **Quebec** legislature, which was opened on March 3, adopted measures providing further aid to public schools, the reform of the law courts, and a subvention to the Quebec tercentenary celebration.—The

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Robinson government was defeated at the general elections in **New Brunswick** in March, and for the first time in twenty-five years a Conservative majority was returned. Mr. J. D. Hazen became premier.—A measure establishing for **Asiatics** a system of registration similar to that in force in Natal passed the legislature of **British Columbia** and received the assent of the lieutenant-governor in February, but was declared unconstitutional because in conflict with treaty. (For negotiations for the restriction of Japanese immigration, see INTERNATIONAL RELATIONS, AMERICAN, *supra*, p. 353.)

AUSTRALASIA.—The federal Parliament of **Australia** ratified in November the mail contract with the Orient Company, which carries a subsidy of £170,000 and provides for direct service after February 1, 1910, between Brisbane and the United Kingdom by ships flying the Commonwealth flag; and it began consideration in February of the government's defence scheme, involving universal military training and the maintenance of an Australian fleet. The House in March voted urgency for an old-age pension measure. Lord Dudley replaced Lord Northcote as governor-general of the Commonwealth in March. Imports for 1907 amounted in value to £51,878,171 and exports to £72,903,440.—A serious coal strike in **New South Wales** in November was ended by the adoption of the miners' proposal for submitting the dispute to a court composed of a judge and two experts, one nominated by each party. A conference of the Labor party rejected, in January, by 118 votes to 27, a resolution in favor of collective ownership of the means of production, distribution and exchange. The state Parliament met in special session on March 10 to act on an amendment to the Arbitration Act creating two-year appointive boards for each industry and also to make a number of forfeited improvement leases available for settlement.—Mr. Kidston, the premier of **Queensland**, resigned in November because of lack of support by the Labor party, and his successor, Mr. Philp, unable to secure a majority, dissolved Parliament and appealed to the country. The elections in February returned 25 Ministerialists, 25 Kidstonites and 22 Laborites. Mr. Philp promptly resigned and Mr. Kidston again assumed office. The government announced in March plans for the introduction of the referendum in deadlocks between the two Houses, and for extensive railway construction.—The Parliament of **South Australia** in December authorized the transfer of the northern territory of that state to the Commonwealth.—**Western Australia** adopted in December an income tax which is expected to realize £80,000.—The government of **New Zealand** announced in November its intention of acquiring in a year's time the Manawatu private railway, payment being settled by arbitration under the act of 1881. Parliament adjourned late in the month after the longest session on record. The most important measures passed were land and tariff laws, a heavy increase of the graduated tax, the reservation of national endowments for old-age pensions and education, schemes of classification and superannuation for the public service, and a further

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restriction of Chinese immigration by the imposition of an educational test in English reading in addition to the present £100 poll tax. The Legislative Council rejected a resolution in favor of compulsory military training. The Parliament buildings at Wellington were destroyed by fire on December 9.

SOUTH AFRICA.—Elections to the Legislative Council of **Cape Colony** in January and to the Assembly in March were notable for very heavy polling and for an unexpected increase in the strength of the South African party. Dr. Jameson, who had been premier since 1904, resigned on January 31, and his successor, Mr. J. X. Merriman, declared that he should regard the elections as a mandate to form a united South Africa and to adjust the finances of the country.—Over 7000 Asiatics at first refused to comply with the **Transvaal** Registration Act, and there were several arrests and light sentences of Indians together with some expulsions in December and January, but, after negotiations between the officials and Mr. Gandhi, the Indian leader, the Asiatics "voluntarily" registered in February and the passive resisters under arrest were released. A special arrangement was effected with the Portuguese government in December for the shipment of Transvaal coal from Delagoa Bay. Negotiations were opened in February with the French government with a view to recruiting native labor from Madagascar. The opposition of the Botha ministry to a protective tariff was reported to be causing the defection of a large section of the *Volk* party.—The result of the elections to the first Parliament of the **Orange River Colony** under the new constitution was a sweeping victory for the Dutch party, *Orangia Unie*, which carried 30 out of 38 seats. Mr. Fischer was named premier, and Parliament was opened on December 18 by the governor, Sir H. J. Goold-Adams, who stated that only the most urgent business would be transacted in this session.—On account of several murders and outrages and the threatening attitude of the natives, the governor of **Natal** in December proclaimed martial law in Zululand. Dinuzulu, the chieftain who is held responsible for the agitation, was arrested on December 9 and is now undergoing trial. The governor suspended martial law in January, and in March pardoned 488 natives implicated in the rebellion of 1906.

INDIA.—The **National Congress** opened at Surat on December 26 with 2000 delegates and many others present. Ill feeling was manifest from the start between the moderates and extremists, and on the 27th the Congress broke up amid great excitement. The moderates in session on the 28th under the leadership of Dr. Behari Ghose formed a committee of prominent men, including Mr. Lajpat Rai, to reconstitute the Congress on its original lines for the ultimate attainment of colonial self-government by constitutional means. The extremists, dominated by Mr. Tilak, held a separate meeting and appointed a committee to carry on the work of the Congress on the basis of the Calcutta resolutions of 1906.—The employees, native and European, on the East Indian Railway struck in November

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because of overwork and poor pay; communication was suspended between Allahabad and Bengal, and the business of Calcutta was at a standstill; the government formed boards of conciliation which settled the differences in January.—It was estimated in December that a quarter of a million Mohammedans died of the **plague** in the Punjab because they refused to leave infected villages, on the ground that Mohammedans are forbidden to flee from the wrath of God. The government printed and distributed a large number of copies of a decision of the principal *maulvis* of the Punjab declaring that the Koran expressly enjoined Mohammedans to quit places smitten by Allah with disease.—A deputation of influential Hindus petitioned the viceroy in March to secure religious instruction in the public schools.—An expedition was sent into the Bazar valley in February to punish the Zakka Khels for raiding the country.—The yield of the cotton crop for 1907 was reported officially as forty per cent below the yield of the preceding year. Great suffering has resulted from **famine**, and the number of persons in receipt of state aid throughout India has steadily risen until, on April 15, it was over a million and a half.

OTHER DEPENDENCIES.—It was reported in November that riots had occurred in **West Africa** on account of the compulsory employment of natives in road-making.—An uprising of the Kisii people in the middle of January in **East Africa** was suppressed by a punitive expedition.—Mr. Hesketh Bell took office on November 26 as the first governor of **Uganda.**—The governor of **Nyassaland** on March 31 opened a new railway, 100 miles in length, connecting Port Herald and Chiromo on the Shire, a navigable tributary of the Zambesi, with Blantyre, the capital of the protectorate. It is proposed eventually to extend the line to Zomba and Lake Nyassa.—The Anglo-French convention for joint jurisdiction over the natives of the **New Hebrides** went into effect on December 1. The joint court is composed of a judge appointed by each government and a president and public prosecutor appointed by the king of Spain.—There was considerable opposition in the **Straits Settlements** in December to the stamp ordinance imposed in order to meet the deficit in the budget.—The governor of **Jamaica** in opening the Legislative Council in January stated that Kingston was practically restored, thanks largely to contributors to the relief fund, and that the financial outlook was promising, the current year closing with the largest cash balance in the recent history of the island. The Council in March appropriated £100,000 as the first instalment of an insurance fund against future disasters. (For Egyptian affairs, see *infra*, p. 384.)

V. CONTINENTAL EUROPE

FRANCE.—The **Chambers** have been in session during the greater part of the period under review. The most important measures considered were: proposed amendments to the Separation Law of 1905, enabling direct heirs only to bring legal action for the recovery of property bequeathed to the church, the object being to defend the departments and communes

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from the lawsuits with which they have been threatened by the Clericals; an income tax; an old-age pension bill; the budget; and an army bill reducing immediately the period of training for the reservists to two separate periods of 23 and 17 days, and that of the territorialists to one week. The church property or "devolution" bill, after a bitter six weeks' debate, was adopted in the Chamber of Deputies by a majority of 177, and, after being so amended that property devoted to masses for the dead might still be employed for that purpose, it passed the Senate April 10. The debate on the income-tax bill was opened by the Deputies on January 20, and its most important article was passed on March 9 by 361 votes to 143. The two Chambers differed on the details of the old-age pension bill, and the Deputies in March adopted, 474 to 66, a proposal of M. Millerand calling on the government to "obtain from the Senate during the present year a favorable vote" on the measure. The army bill was passed by the Deputies in December and by the Senate in February. The budget was voted on December 31. In addition to the foregoing measures, the Chambers passed a bill for the protection of art treasures, especially in churches and museums, authorized the appointment of an extraordinary commission to draw up a plan for the reorganization of the navy, and made special appropriations for the improvement of the port of Havre and the estuary of the Seine, and for the Franco-British exhibition in London. The Senate adopted in March the Briand bill, providing that judicial separation shall be changed into divorce after three years on the application of either party. A bill passed the Chamber of Deputies in April extending amnesty to offenders in connection with the wine-growers' agitation in the South, but an amendment for the amnesty of anti-militarists, anti-patriots and insubordinate civil servants was firmly resisted by M. Clemenceau and rejected by 460 votes to 73.—There is considerable agitation in favor of **parliamentary reform** by a group in the Chamber, including MM. Delcassé, Deschanel, Buisson, Ribot, Cochéry, Doumer and Abbé Lemire. They urge the *scrutin de liste* with proportional representation, the redistribution of seats and a reduction of the number of deputies. In November they addressed a memorial to the premier on the subject.—The central administration of the French Foreign Office was reformed on January 1 by amalgamating political and commercial affairs on the model of the British Foreign Office.—A partial redistribution of portfolios in the Clemenceau ministry followed the death of the minister of justice in January, M. Briand retaining the ministry of public worship while taking that of justice, and M. Cruppi becoming minister of commerce.—A section of the **Socialist party**, led by M. Paul Brousse, issued a manifesto in November denouncing as monstrous and anti-Socialistic the anti-patriotic propaganda undertaken "by a small noisy group that is trying to introduce into the Socialist party the theory and methods of anarchy." M. Hervé, the anti-militarist, was sentenced in December to one year's imprisonment and a fine of 3000 francs for libeling and insulting the French army and navy, and his associates on *La Guerre*

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Sociale, MM. Almereyda and Merle, were each sentenced in contumacy to five years' imprisonment and a fine of 3000 francs.—The tenth anniversary of the publication of Émile Zola's famous letter "*J'accuse*" was celebrated on January 13. The ashes of the novelist were transferred to the Panthéon on April 2.—A group of Parisian Protestants addressed a petition to the Senate in February, expressing "the invincible horror which they feel for every infringement of the liberty of worship and of private property," and urging that all citizens, of whatever religion, be placed under the safeguards of the common law.—The establishment of a native consultative chamber in French **Indo-China** under the Clémentel administration seems to have increased the agitation for local self-government.

GERMANY.—The **Reichstag** met on November 19, and on the next day received the imperial estimates for 1908: revenue and expenditure balance at about 685 million dollars, of which 210 are for the army, eighty-seven for the navy and fourteen for the colonies. The navy bill, calling for the construction by 1917 of seventeen battleships together with seven large and nineteen small cruisers, encountered strong opposition from the Radical and Centre deputies but was passed early in April. An important associations law was passed in March, in spite of the opposition of the Poles, the Socialists and the Clericals, by which the use of the German language is made compulsory at all public assemblies except international congresses and election meetings, with the provision that in those districts where more than sixty per cent of the inhabitants are of non-German origin the use of their mother tongue is to be permitted at public meetings for the next twenty years. The Bundesrath recommended in February that the revenue necessary for the increased budget be derived from a state monopoly of a part of the intermediate trade in spirits and from an excise duty on cigars and pipe tobacco.—The so-called Colonial Council was dissolved by imperial decree in February and its functions distributed among several committees.—The election to the presidency of the **Navy League** of General Keim, a political agitator who opposed the Catholic Centre in the last general election, caused the withdrawal of the Bavarian branch of the League just at the time when the debate on the navy bill was in progress in the Reichstag. It was announced in the *North German Gazette* on January 10 that Prince Henry of Prussia, with the concurrence of the emperor, would resign his position as patron if General Keim continued to hold the office of president. A general meeting of the League at Cassel on January 19 expressed its confidence in its officers, and the Bavarian delegates left the hall.—The first German Dreadnought, the "Ersatz Bayern," was launched in the presence of Emperor William at Wilhelmshaven on March 5.—The second trial of Maximilian Harden (see last RECORD, p. 771), this time for criminal libel, lasted from December 16 to January 3. He was found guilty of having libeled Count Kuno von Moltke, was sentenced to four months' imprisonment and costs, and has appealed to the Imperial Court at Leipzig. A court-martial of the guards corps tried General Hohenau

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and Count Lynar in January on a charge of being implicated in various scandalous proceedings brought out in the Moltke-Harden litigation; the former was acquitted, and the latter was sentenced to fifteen months' imprisonment.—The libel case of Dr. Peters, the former colonial official, against the *Cologne Gazette*, which was tried in January, once more resuscitated the whole story of the "Peters scandals," and resulted in the acquittal of the editor and the fining of the writer of the article in question.—The **Prussian Diet** opened on November 26. The speech from the throne, read by Prince Bülow, referred to the unsatisfactory condition of the Prussian finances and foreshadowed a deficit on account of greatly increased expenditure. The chief bill presented was one for the expropriation of **Polish** landholders, which in its final form gives the state the right to acquire through an expropriation commission land for German settlers to a total extent of 70,000 hectares, lands held by churches or recognized charitable foundations before February 26, 1908, being exempt. The bill passed both Chambers by a majority composed of Conservatives and National Liberals against a minority of the Radicals, Poles and Centrists. As a consequence of the passage of the bill the Poles are organizing a league for the boycott of German goods, and the movement is assuming serious proportions.—A Radical motion in the Diet on January 10 for the introduction into Prussia of universal, equal and direct suffrage with secret ballot was successfully opposed by Prince Bülow, who said that the influence of the middle class must be maintained. In Berlin, on January 12, as a result of a Socialist demonstration in favor of franchise reform, there was considerable rioting with many casualties and a hundred arrests. Less disorderly demonstrations occurred in many other Prussian cities.

AUSTRIA-HUNGARY.—The **Delegations** were opened on December 21 and voted provisional supplies. The Poles in the Austrian Delegation entered a protest against the spoliation of their fellows in Prussia, but Baron von Aehrenthal, minister for foreign affairs, stated that he could not interfere in the internal affairs of a friendly state.—A complete amnesty for all military offenders and deserters of the two countries was proclaimed on December 2, the sixtieth anniversary of the accession of Emperor Francis Joseph.—The **Austrian** budget for 1908, involving expenditures of 429 million dollars, was adopted in November. An imperial rescript of March created a Ministry of Public Works and appointed the Christian Socialist leader Dr. Gessmann head of the new department. Some friction was caused in March by an effort on the part of the papal nuncio to influence the government to remove Professor Wahrmund from his chair of canon law at Innsbrück.—**Hungary** ratified the new customs agreement with Austria in December. The government has had great difficulty in dealing with the **Croatian** problem. The Croats in the Hungarian Chamber, supported by the president, employed obstruction tactics against the Kossuth ministry with such advantage throughout November and December that an amendment to the rules of the Chamber had to be drafted in January in order to

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crush further Croatian or non-Magyar obstruction. The Croatian Diet assembled at Agram on December 12 but was immediately dissolved by the ban, who ordered new elections. A new ban, Baron Rauch, who was sent out by the Hungarian cabinet to rule with an iron hand, was received at Agram on January 15 with hooting and a shower of stones. The elections in February returned 44 deputies uncompromisingly hostile to M. Kossuth, 21 members of the Greater Croatian party, and only two supporters of Baron Rauch. This new Diet was opened by the ban on March 12 and was prorogued two days later amid scenes of disorder. It is presumed that the ban, supported by the Hungarian government, will attempt to break Croatian resistance by governing the country without the Diet. Anti-Hungarian feeling runs high throughout Slavonia as well as Croatia.

RUSSIA.—The third **Duma** was opened at St. Petersburg on November 14. Out of 327 deputies, only 62 were ascribed to the opposition, including 25 Constitutional Democrats; there were 166 avowed reactionaries; and the remaining 99, including 64 Octobrists, were more or less lukewarm progressives. The Duma was dominated by a *bloc* formed by the Right and the Octobrists, the former recognizing that the Duma was to be legislative and not merely consultative, the latter agreeing to renounce equal rights for the Jews. A small group of the extreme Right adhered to the program of the Union of the Russian People and refused to enter the *bloc*. On November 27 the Duma by 212 votes to 146 rejected an amendment of the Right to introduce the word "autocracy" into the customary address to the tsar. M. Stolypin in a ministerial declaration intimated that the autocracy was a supreme power to which the tsar would resort whenever the safety of Russia demanded it, as in the case of the promulgation of the electoral law of June 16. The *bloc* concluded an arrangement with the Centre in the Council of the Empire whereby all important measures are to be jointly discussed before their introduction into the respective Houses. The Duma voted in December fifteen million roubles for famine relief. A bill for ensuring freedom of conscience was withdrawn by M. Stolypin in January on account of the opposition of the Holy Synod. A measure for double-tracking the Siberian Railway was presented on January 27. The Duma committee rejected in March the credit asked by the government for the construction of new battleships but approved the remainder of the naval program. M. Kokovtsoff, minister of finance, at a meeting of the budget committee on March 21, estimated the absolutely necessary expenditures on Siberian railways, national defence and famine relief during the next few years at not less than $75,000,000 annually and declared that new loans were inevitable. The Duma in April debated a temperance measure.—M. Kaufmann was succeeded in the ministry of public instruction in January by M. Schwarz.—Strong reactionary efforts have been made to compel M. Stolypin to shift his position further towards the extreme Right, which is highly dissatisfied with the government's tolerance of Finland, of the Jews and of the autonomy of the universities.—Several **trials** have attracted wide atten-

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tion. That of 203 men accused of complicity in the mutiny of Vladivostok resulted in the sentencing, on December 2, of 20 to be shot, 34 to penal servitude and most of the others to be transferred. In December the treason case in which 55 members of the second Duma were implicated was tried by an extraordinary court, and, on the 14th, 26 were condemned to various terms of hard labor, 12 to exile, and the rest were acquitted. The trial for treason of the 169 members of the first Duma who signed the Viborg manifesto was begun on December 25 and concluded on December 31. All were convicted and sentenced to three months' imprisonment and loss of their political rights, save two who were acquitted on the ground that they had signed the paper under a misapprehension. An appeal was rejected by the Senate in March. The court-martial on the defence and surrender of Port Arthur began at St. Petersburg on December 10, and in February the court condemned General Stössel to death, reprimanded General Fock, and acquitted Generals Reuss and Smirnoff. The tsar commuted the death sentence passed on General Stössel to imprisonment in a fortress for ten years. A court-martial at Zembiansk meted out severe penalties in March to 25 members of the so-called Peasants' Brotherhood, formed with the object of destroying the properties of landowners.—**Disorders** have been rife in various parts of the empire. Early in November, the crew of the destroyer "Skory," incited, it is said, by a Jewess, mutinied in Vladivostok harbor and bombarded the town. The mutiny was suppressed after several lives had been lost and the destroyer had been beached. In December, all Jews were ordered to leave the city within four days, except property owners, who were allowed eighteen days in which to wind up their affairs.—The new **Finnish** Diet, which met in November, was elected by universal adult suffrage, and of its 200 members 19 were women and 80 seats were held by Social Democrats. It speedily passed a drastic measure totally prohibiting all traffic in intoxicating liquors, the only exception being in behalf of the Russian troops in Finland. M. Gerhard was "relieved" as governor-general in February and was succeeded by the reactionary General Bekmann. A conflict ensued in the Diet over the Senate's attitude toward the Russian administration; the Social Democrats maintained that the Senate had not strengthened Finland's powers of resistance, while the Old Fennoman party accused the Senate of endangering Finnish autonomy by paying insufficient heed to Russian desires. The Senate on March 31 voted to present its resignation to the tsar, who on April 10 dissolved the Diet and ordered new elections to be held on July 1.—The repressive policy continues in **Poland.** The governor-general of Warsaw in December closed the Polish school society known as the "Matica."

ITALY AND THE HOLY SEE.—The Italian Senate, sitting as a High Court, found Signor Nasi, the prominent Sicilian politician and ex-minister, guilty of peculation and sentenced him in February to eleven months' imprisonment and four and a half years' interdiction from holding any public office, and the Court of Cassation in March confirmed judgment. The

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trial was accompanied by several demonstrations in Sicily against the government.—The Chamber in February affirmed, as the principle of **religious instruction** in the public schools, that the state school is a lay school and that a lay school means one in which religious instruction is not obligatory but which must give religious instruction to those children whose parents desire it. An amendment for the abolition of religious instruction was rejected by 347 votes to 60.—Sr. Severino Casana succeeded General Vigano as minister of war on January 1.—The minister of public instruction has appointed a commission to supervise the excavations at Herculaneum.—Piux X announced on December 24 his intention of making provision, in the codification of the canon law now in progress, for the establishment of a special court in connection with each Congregation, the tribunal of the Rota being left above all these courts as a supreme court of appeal.

OTHER EUROPEAN STATES.—Belgium was agitated by the question of the annexation of the **Congo Free State**. A treaty concluded on November 28 between the Belgian government and that of the Free State was referred to a parliamentary commission of seventeen. The treaty encountered strenuous opposition, chiefly because of the exemption of the rich crown domain from taxation and from full Belgian sovereignty. The Liberals under M. Beernaert and the Socialists under M. Vandervelde were particularly hostile. The death of M. de Trooz caused a change in the cabinet, but M. Schollaert, president of the Chamber, who succeeded to the premiership in January, announced the determination of the government to adhere to the original proposal. On February 4, however, the premier stated that fresh negotiations had been opened with regard to the transfer, and early in March the king agreed to an "additional act," whereby in return for certain concessions the Congo budget would be voted by the Belgian government and the crown domain would be abolished. While the haggling between king and ministry was in progress the commission of seventeen was engaged in perfecting a colonial law. At an important meeting of the commission on March 25 the main question of annexation was carried by ten votes to two, a colonial law was approved by eleven votes to one, and it was decided, ten to four, to recommend that the Colonial Council be composed of eight members named by the king and six by parliament. The Liberals and Socialists carried on an energetic campaign in April against annexation under these terms, and urged the Chamber to adopt a proposal for a referendum. M. Cooreman, deputy for Ghent, succeeded M. Schollaert as president of the Chamber in January.—In **Portugal** Premier Franco pursued his policy of repression and government by decree throughout November, December and January, forbidding meetings for the purpose of political agitation, muzzling the press, applying to all political offences the procedure governing anarchist crimes, and appointing administrative commissions to take the place of the councils-general. These decrees aroused opposition in circles other than Republican, the cardinal patriarch of Lisbon, Mgr. Netto, resigning in November on account of his hostility to Sr. Franco.

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At length on February 1, the very day of the publication of a decree giving the police court power to expel from the kingdom any person found guilty of threatening the security of the state or of disturbing social order, assassins attacked the royal family, who were driving through the streets of Lisbon on their return from Villa Viçosa, and killed King Carlos and the crown prince and slightly wounded the duke of Beja, the king's second son. The cabinet promptly tendered its resignation, and Sr. Franco left Portugal. The country remained comparatively calm, the assassination being disavowed both by the pretender and by the Republicans, although the latter blamed the reactionary dictatorship. The eighteen-year-old duke of Beja was proclaimed king as Manuel II, and after consultation with the party leaders and Queen Amelia entrusted the formation of a coalition cabinet which should represent all the Monarchists to Vice-Admiral Ferreira do Amaral. The new government announced at once that elections for the Cortes would be held early in April, and that there would be no further dictatorship. The measures for controlling the press and for providing summary procedure in political offences were annulled, and a number of political prisoners were released. The elections on April 5 were peaceful and resulted in a sweeping ministerial victory.—Negotiations were begun in January looking toward the establishment of a Portuguese line of steamers trading with Brazil.—The **Spanish** Cortes adopted a navy reorganization bill in December. A bill was introduced in January empowering the government to suppress anarchist newspapers, close anarchist clubs and expel the propagators of anarchistic theories. King Alphonso, despite the protests of his cabinet, visited Barcelona in March and received a hearty welcome.—King Oscar II of **Sweden** died on December 8 in his seventy-ninth year. Gustaf V, his successor, declined a coronation ceremony as being "unnecessary and not in accordance with the spirit of the age." The Swedish budget, which was presented at the opening session of the Riksdag on January 16, balanced at about $60,000,000. The Riksdag on March 4 ratified an agreement with Germany establishing direct railway transport between the two countries by a combined service of powerful ferry-boats between Trelleborg and Sassnitz.—M. Michelsen, premier of **Norway**, retired on November 1 on account of ill health, and was succeeded by M. Lövland. The Storthing was opened by King Haakon on January 13, and on the 18th unanimously approved the Norwegian Integrity Treaty (see p. 353). The ministry was defeated on an appropriation bill in March, and M. Knudsen formed a new Radical cabinet.—The **Danish** Chambers passed a franchise bill in April, by which all taxpayers, male and female, over twenty-five years of age and all married women whose husbands are taxpayers are entitled to vote in all communal elections.—The **Dutch** cabinet submitted measures in March for the amendment of laws relating to public morals, for the protection of workers and other social legislation, and abandoned an earlier proposal for the revision of the constitution.—The Federal Legislature of **Switzerland** directed in December the immediate

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construction of the second Simplon tunnel.—The deplorable state of affairs in **Macedonia** continues to attract the attention of the powers (see p. 354). Frequent outrages were reported from the vilayet of Kossovo, and on January 8 a Greek band under the chief Pavlos burned alive some thirty peasants, including women and children, at the village of Dragosh near Monastir.—The **Roumanian** Parliament, which met on November 28, passed important agrarian legislation, authorizing the creation of communal pastures, the fixing by local boards of the minimum prices for labor and the maximum rent for peasant land, the establishment of an institute of credit to enable the peasants to buy land, a state monopoly for the sale of alcohol, the reform of rural justice, the transmission of peasant land by inheritance, the establishment of a separate department of agriculture, the reorganization of the gendarmerie, and compensation to farmers for damages incurred during the agrarian disorders (see RECORD of June, 1907, p. 382).—The **Servian** cabinet prorogued the Skupshtina in November because it had a majority of only nine votes.—A plot against the reigning family in **Montenegro** by 150 members of the Greater Servian party was unearthed in November and severely punished.—M. Malinoff, the leader of the Democratic party, became premier of **Bulgaria** in January. Prince Ferdinand married Princess Eleonore, daughter of Prince Henry IV of Reuss-Köstritz.

VI. ASIA AND AFRICA

JAPAN.—A trust was formed in December by the various companies engaged in the emigrant business.—Changes in the **Cabinet** portfolios of finance and of communications occurred in January. The budget as presented to Parliament on January 21, balanced at about $300,000,000. A lively campaign was in progress in April in preparation for the general elections of May 15. The opposition was appealing to the anti-military sentiment among the commercial and industrial classes, urging a revision of the budget and of financial methods.—It was reported in April that the anti-Japanese movement in **Korea** was increasing, that revolutionists were active south of Seoul, and that two of the cabinet ministers had resigned.

CHINA.—An agitation in Che-kiang province in December was directed by the gentry and the students against further centralization of government and construction of railways. A contract was signed at Pekin on January 13 for the building of the Tien-tsin–Yang-tsze main line, German capitalists constructing the section from Tien-tsin to the southern border of Shan-tung, and British thence to Pu-kow on the Yang-tsze opposite Nanking. The work is to be done by European engineers, but the control is vested in the Chinese government. The Shanghai-Nanking railway, 103 miles in length, was completed in April.—A decree was issued in February providing for equality in the courts between Manchus and Chinese. New press regulations issued about the same time make it an offence recklessly to criticize the government or to publish articles endangering peace or morals, and prescribe that the editor of every paper must be a Chinaman.

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—The government in January engaged Danish engineers to extend the Chinese telegraph system into **Tibet**. The first Tibetan newspaper was published at Lhasa in March. (For Manchurian affairs, see p. 356.)

PERSIA.—Parliament on November 10 passed the budget and fixed the civil list at $500,000 a year. On October 26 it temporarily ended the cabinet crisis (see last RECORD, p. 775) by recognizing the ministry of the Nationalist leader, Nasir-el-Mulk. The clerical leaders succeeded in defeating a measure which aimed at the introduction of secular law throughout the country and the maintenance of the religious law of Islam solely for ceremonial purposes and in purely religious cases. On December 15 Nasir-el-Mulk resigned, because of the shah's refusal to grant his demand for the expulsion of the reactionary court clique. He was promptly arrested. Parliament protested and appealed to the powers. Through the efforts of the foreign ministers, the shah yielded, released the ex-premier, and agreed to expel the court reactionaries, to place all troops under the responsible ministry of war and to employ Russian officers to instruct but not to command Persian troops. A new cabinet was formed on December 19 by Nizam-es-Sultaneh, former governor of Ispahan. Parliament agreed in return for these concessions to suppress several newspapers and to increase the shah's civil list by $150,000.—The government in January chose a French adviser to assist in the work of financial reform.

EGYPT.—The two sections of the Nationalist party, the extremists led by Mustapha Kamel Pasha and the moderates or "Party of Constitutional Reform" under Sheikh Ali Yusef, issued programs in November, both of which included the substitution of Egyptian for British officials, the grant of parliamentary institutions and the expenditure of large sums for education; but while the former called for the instant evacuation of Egypt by the British, the latter deprecated any such extreme demand. The People's party (see last RECORD, p. 776) seems to be moderately British in sympathy; the Coptic community, decidedly so. Mustapha Kamel Pasha died on February 10, and was succeeded in the leadership of his party by Ahmed Farid. The election of Sheikh Ali Yusef to the Legislative Council from Cairo was annulled by the native court of appeal in February on the ground of moral unfitness.—A new pass into the harbor of Alexandria, permitting the entrance of the largest vessels, was formally opened on December 30.

ABYSSINIA.—Emperor Menelek decreed in November the establishment of a cabinet on European lines, with portfolios of justice, finance, commerce, war and foreign affairs.

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